United Nations S/2017/82

Security Council

Distr.: General
31 January 2017
English
Original: Russian

Letter dated 27 January 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic for the period 25-27 January 2017 (see annex).

I should be grateful if this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) V. **Churkin**

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Annex to the letter dated 27 January 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (25 January 2017)

Reconciliation of opposing sides

Over the past 24 hours, no ceasefire agreements have been signed with populated areas.

The number of populated areas that have joined the reconciliation process remains unchanged at 1,148.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups which have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 104.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The following armed opposition units joined the ceasefire: Faylaq al-Sham, Front for the People of the Levant (Army of Mujahidin, Revolutionaries of the Levant), Sultan Murad Brigade, Idlib Army, Hawks of the Levant, Rahman Corps, Levant Front, Fa'istaqim group, Jaysh al-Izzah, Victory Army, First Coastal Division, Army of Islam, Martyrs of Islam Brigade, Tajammu' Ahrar Asha'ir al-Janub and Jabhat Thuwar Suriyah.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement reported five violations: four in Hama governorate and one in Ladhiqiyah governorate.

The Turkish representative office reported five violations of the consolidated agreement in the following governorates: three in Homs, one in Damascus and one in Hama.

During its investigations of these incidents, the Russian representative office was unable to confirm the five violations.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (26 January 2017)

Reconciliation of opposing sides

Over the past 24 hours, no ceasefire agreements have been signed with populated areas.

The number of populated areas that have joined the reconciliation process remains unchanged at 1,148.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Homs, Hama, and Qunaytirah governorates.

The number of armed groups which have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 104.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The following armed opposition units joined the ceasefire: Faylaq al-Sham, Front for the People of the Levant (Army of Mujahidin, Revolutionaries of the Levant), Sultan Murad Brigade, Idlib Army, Hawks of the Levant, Rahman Corps, Levant Front, Fa'istaqim group, Jaysh al-Izzah, Victory Army, First Coastal Division, Army of Islam, Martyrs of Islam Brigade, Tajammu' Ahrar Asha'ir al-Janub and Jabhat Thuwar Suriyah.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement reported three violations: two in Hama and one in Damascus.

The Turkish representative office reported eight violations of the consolidated agreement in the following governorates: four in Aleppo and four in Damascus.

During its investigation of these incidents, the Russian representative office confirmed one ceasefire violation. It has not confirmed the other seven incidents.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (27 January 2017)

Reconciliation of opposing sides

Over the past 24 hours, seven ceasefire agreements have been signed with Wadi al-Hinnah in Homs governorate; Zawr Bilhusayn, Zawr al-Qusayyah, Qumhanah and Hashimiyah in Hama governorate; and Mashrafah and Harf al-Sari in Ladhiqiyah governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,155.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Damascus, Aleppo, Hama, Homs and Qunaytirah governorates.

The number of armed groups which have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 104.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The following armed opposition units joined the ceasefire: Faylaq al-Sham, Front for the People of the Levant (Army of Mujahidin, Revolutionaries of the Levant), Sultan Murad Brigade, Idlib Army, Hawks of the Levant, Rahman Corps, Levant Front, Fa'istaqim group, Jaysh al-Izzah, Victory Army, First Coastal Division, Army of Islam, Martyrs of Islam Brigade, Tajammu' Ahrar Asha'ir al-Janub, Jabhat Thuwar Suriyah, Military Council of Qunaytirah, Sayf al-Sham, Mujahidin of Hawran, Ahrar Nawa, Mu'taz Billah, Firqah al-Khamisah (Fifth Division), 18 March, Jaysh al-Thawrah (Army of the Revolution), Shabab al-Sunnah, Umari, Ababil Army, Furqan Brigade, Liwa' al-Awwal (First Brigade), Faylaq al-Awwal (First Brigade), Firqat al-Maghawir, Islamic Dawn (Fajr al-Islam), Izz bin Abdulsalam, Karamah Brigade, Lions of the Sunnah, Maqam al-Hassa Brigade, Haramayn Brigade, Salah al-Din Brigade, Homs Brigade, Sons of Khalid Brigade, Fallujat Hawran (Division), Qasiyn Brigades, Ansar al-Islam, Jaydur Hawran (Brigade), Hashim Division, 46th Infantry, Firqat al-Haq, Amud Hawran, Mu'tasim Battalion, Martyrs for Freedom, Ahmad al-Abdu Forces, Lions of the East, 99th Division, Martyr Ra'id al-Misri Brigade, Qadisiyah Division, Thabitin Army, Liwa' Tawhid Kata'ib Hawran, Martyr Nabil Battalion, Knights of Hawran Brigade, Southern Storm Brigade, Karamah Company, Levant Liberation Brigade, Asha'ir Division, Fajr al-Tawhid and Liyajat Unification Brigade

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement has not reported any violations.

The Turkish representative office reported six violations of the consolidated agreement in the following governorates: two in Aleppo and four in Damascus.

During its investigations of these incidents, Russia was unable to confirm the six violations.

United Nations A/ES-10/741–S/2017/83

General Assembly
Security Council

Distr.: General
30 January 2017

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-second year

Identical letters dated 27 January 2017 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

In the present letter, our second letter this week, we are compelled to write to you to place on record our unequivocal condemnation of Israel's continued building and expansion of illegal settlements in the Occupied State of Palestine, including East Jerusalem. Clearly, with the continuation of its insidious colonization of confiscated and stolen Palestinian land, Israel, the occupying Power, is sending a crystal clear message that it is determined to continue, arrogantly and aggressively, to defy the will of the international community, violate international law, including humanitarian and human rights law, as well as international criminal law as articulated in the Rome Statute of the International Criminal Court, as well as to defy the resolutions of the United Nations, including Security Council resolution 2334 (2016), recently adopted by the Council on 23 December 2016.

In this regard, just yesterday, Thursday, 26 January 2017, the Israeli occupying authorities announced plans to build 153 more settlement units in the illegal settlement of "Gilo" in Occupied East Jerusalem. This announcement came on the heels of the occupying Power's announcement of the approval of the construction of 566 units in illegal settlements also in occupied East Jerusalem on Sunday, 22 January 2017, for a total of 719 more illegal settlement units in just one week. Of course, these additional 719 settlement units will illegally house thousands of illegal, extremist and violent settlers who will not only continue to attack Palestinian civilians and their property under the watchful eye and protection of Israeli occupying forces with complete impunity, but also contribute to the altering of the demographic composition and character of the Occupied East Jerusalem. In addition to these illegal actions mentioned above, Israeli authorities, in statements and comments to the press, promise to continue with this dangerous trend of illegal settlement building. In this connection, after this provocative announcement was

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delivered, the so-called Deputy Mayor of Jerusalem stated that he was "going to deliver permits for thousands of homes in Jerusalem in the coming months".

Here, we wish to state the obvious, which is that the occupying Power will continue to act above the law unless a clear message is sent by the international community, including the Security Council, that it will not shy away from taking the necessary action against Israel's illegal measures, which are deliberately trying to bury the two-State solution. After the unequivocally clear message that was sent to the occupying Power with the adoption of Security Council resolution 2334 (2016), Israel, the occupying Power, which is also a full member of the United Nations, must not be allowed to defy the will of the international community, specifically the Security Council, without consequence. In this regard, we call again for the international community, led by the Security Council, to be firm and unwavering in its commitment to the law and to its own resolutions and also to be unyielding in its response to the occupying Power by taking the necessary measures to save the viability of the two-State solution and the possibility for Israeli-Palestinian peace before it is too late.

The present letter is in follow-up to our 603 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 24 January 2017 (A/ES-10/740-S/2017/67) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer
of the State of Palestine to the United Nations

United Nations S/2017/84

Security Council

Distr.: General
1 February 2017

Original: English

Letter dated 24 January 2017 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

As you are aware, the tenth meeting of Libya's neighbouring countries was held in Cairo on 21 January 2017 and was chaired by Egypt. Ministers and ambassadors from Algeria, Tunisia, Libya, Niger, Chad and the Sudan participated in this meeting, which was also attended by the Secretary-General of the League of Arab States, the Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya and the African Union High Representative for Libya.

In that regard, please find attached the final communiqué of the aforementioned meeting. I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Amr **Aboulatta**
Ambassador
Permanent Representative

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Annex to the letter dated 24 January 2017 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

Final communiqué of the tenth ministerial meeting of the neighbouring countries of Libya, held in Cairo on 21 January 2017

1. The tenth ministerial meeting of the neighbouring countries of Libya convened in Cairo at the level of foreign ministers on 21 January 2017. The meeting was chaired by His Excellency Mr. Sameh Shoukry, Minister for Foreign Affairs of the Arab Republic of Egypt, with the participation of:

- His Excellency Mr. Abdelkader Messahel, Minister for Maghreb Affairs, African Union and League of Arab States of the People's Democratic Republic of Algeria
- His Excellency Mr. Khemaies Jhinaoui, Minister for Foreign Affairs of the Republic of Tunisia
- His Excellency Mr. Mohamed El-Taher Siala, Delegated Minister for Foreign Affairs of Libya
- Her Excellency Mrs. Salamatou Lamido Ousseini, Delegated Minister in charge of African Integration Affairs and Nigeriens Abroad of the Republic of the Niger
- His Excellency Mr. Hassan Adam, Ambassador of the Republic of Chad in Cairo
- His Excellency Mr. Abdel Mahmoud Abdel Haleem, Ambassador of the Republic of the Sudan in Cairo

2. The meeting was attended as well by His Excellency Mr. Ahmed Abdoul Gheit, the Secretary-General of the League of Arab States, His Excellency Mr. Martin Kobler, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, His Excellency Mr. Jakaya Kikwete, former President of the United Republic of Tanzania and the African Union High Representative for Libya.

3. The Ministers took note of the recent developments in Libya, stressing that there could be no alternative to adhering to the Libyan Political Agreement signed on 17 December 2015 in Skhirat, Morocco, as the sole framework for the solution to the present crisis in Libya, in accordance with the main principles agreed to during the meetings convened in Cairo, N'Djamena, Khartoum, Algiers, Tunis and Niamey. These principles are:

(a) Preserving the security, stability and unity of Libya and sovereignty over its territory and the resilience of its people;

(b) Rejection of any external interference in the internal affairs of Libya;

(c) Preserving the legitimate State institutions of Libya and respect for the rule of law, while ensuring the separation of powers, and social justice;

(d) Preserving the unity of the Libyan Army along with the presence of a national police force to protect the nation, in accordance with the Libyan political agreement, to fulfil their duties for preserving the security and stability of the Libyan State and its legitimate institutions;

(e) Reinforcing the principle of consensus without marginalization or exclusion, and the commitment to a comprehensive dialogue between all the parties of Libya, and upholding the imperative of a comprehensive national reconciliation;

(f) Maintaining the civil State and the democratic process, as well as the peaceful transition of power in Libya.

4. The Ministers reaffirmed their support for the Presidential Council of the Government of National Accord as derived from the Libyan political agreement which laid the foundations for a final political solution to the crisis. The ministers called on the Council to form a government of national accord representing all the political forces in Libya, and encouraged the Libyan House of Representatives to convene a meeting to deliberate on the newly formed government and grant its vote of confidence so that it may assume its responsibilities.

5. The Ministers expressed their determination to further pursue their efforts to promote the political process in Libya towards its success, and to foster the appropriate conditions for security and restoring stability in all the territories of Libya, in collaboration with the appreciated efforts of His Excellency Mr. Martin Kobler, the Special Representative of the Secretary-General for Libya, His Excellency Mr. Jakaya Kikwete, former President of the United Republic of Tanzania and Representative of the African Union to Libya, as well as Ambassador Salah El Din Elgamaly, the Envoy of the Secretary-General of the League of Arab States for Libya.

6. The Ministers reiterated their categorical rejection of a military solution to the Libyan crisis given the negative implications for the security and stability of Libya in particular, and for the neighbouring countries in general. They furthermore affirmed that political dialogue was the sole path towards ending the crisis.

7. The Ministers affirmed their rejection of any foreign military intervention, emphasizing that combating terrorist groups in Libya must be undertaken in the context of international legitimacy, and that military operations in this regard must be based on the request of the Presidential Council of the Government of National Accord pursuant to the provisions of resolution 2259 (2015), adopted by the Security Council on 23 December 2015, and in accordance with the Charter of the United Nations.

8. The Ministers discussed the extremely dangerous situation facing the people of Libya as a result of the political and security crises and their numerous ramifications. In this regard the ministers expressed their concern regarding the continued presence of terrorist organizations in certain regions of Libya, as this presents a serious danger to the people of Libya and the future of the political process.

9. The Ministers stressed the importance of enhancing cooperation and consultation among the neighbouring countries of Libya with respect to border security and combating terrorism in its various manifestations, organized crime and

all forms of cross-border smuggling, and of continuing efforts to convene a meeting of experts to present specific recommendations on this matter to the next meeting of the foreign ministers of the neighbouring countries of Libya.

10. The Ministers praised the success that was achieved in confronting terrorism in the various regions of Libya, and especially in the cities of Benghazi and Sirte, reaffirming the importance of pursuing terrorist elements fleeing from these two cities so that they are unable to reconstitute in other areas throughout Libya.

11. The Ministers affirmed the central and critical role undertaken by the mechanism of the neighbouring countries of Libya, as it is the most concerned with the state of instability in Libya and the most negatively affected by the ongoing crisis. In this regard, the Ministers called on countries and regional and international organizations willing to contribute to the resolution of the crisis to take into account the approach adopted by the mechanism of neighbouring countries of Libya, and the positions of the group and its vision with respect to the current situation in Libya while considering any effort aimed at contributing to resolving the crisis, and that this be undertaken within the context of the United Nations political process.

12. The Ministers value the efforts undertaken by the neighbouring countries of Libya and the recent meetings in Cairo, Algiers and Tunis, and their endeavours aimed at addressing the crisis facing Libya and containing its ramifications, in addition to their deliberations and bridging the gaps between the Libyan parties in order to reach a political settlement in the context of the United Nations political process, and including all the major Libyan parties in the context of a comprehensive Libyan dialogue. The ministers encouraged the neighbouring countries to further coordinate with respect to these endeavours.

13. The Ministers expressed their concern at the deteriorating humanitarian situation in Libya, and the difficult living conditions facing the citizens of Libya. In this regard the ministers praised the role of the central and local state institutions in the various regions of Libya in providing for basic services to the citizens.

14. The Ministers stressed the importance that the international community undertake, in coordination with the legitimate authorities in Libya, to implement a humanitarian responsive plan in Libya during 2017, given that the Libyan people face acute shortages of medicine and medical supplies in hospitals and medical facilities in various regions across Libya.

15. The Ministers called for eliminating the freeze on Libyan financial assets in foreign banks, so that these resources belonging to the Libyan people can be allotted to fulfil the needs of the country, at the time convenient to the Presidential Council.

16. The Ministers requested the Egyptian Chair of the meeting to convey the present communiqué to the Secretary-General of the United Nations, the President of the Security Council, the Secretary-General of the League of Arab States and the Chair of the African Union Commission.

17. The Ministers further requested the Chair of the meeting to convey their highest appreciation and gratitude to His Excellency Mr. Abdel Fattah El-Sisi, the President of the Arab Republic of Egypt, and to the Government of Egypt for their gracious hospitality, and for undertaking the necessary arrangements for the success of this meeting, and their efforts towards resolving the crisis in Libya.

18. The Ministers agreed to hold the eleventh ministerial meeting of the neighbouring countries of Libya in Algiers, on a date which will be determined through prior consultation. The ministers furthermore agreed that the mechanism of the neighbouring countries of Libya shall remain in continuous session in order to monitor developments in Libya.

United Nations S/2017/85

Security Council

Distr.: General
2 February 2017
English
Original: French

Letter dated 27 January 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to inform the Security Council that a number of former members of the Mouvement du 23 mars (M23) have escaped from the Bihanga and Rwamwanja camps in Uganda, where they had been confined, and have entered North Kivu Province, in the Democratic Republic of the Congo, with the aim of resuming hostilities.

To substantiate these claims, my Government wishes to bring to your attention the following facts, listed in alphabetical order, and documented by the competent authorities in the Democratic Republic of the Congo:

- On 11 November 2016, Sultani Makenga disappeared from his residence in Kampala. That same day, he was spotted with his armed fighters in Sarambwe, in Rutshuru territory, in North Kivu Province. Following a clash with the Armed Forces of the Democratic Republic of the Congo (FARDC), he and his comrades fled, leaving behind some personal effects (see annex);
- On 2 January 2017, a dozen people sent by Erasto Mihigo, a former M23 officer and a relative of ousted General Laurent Nkunda, were arrested in Goma;
- On 10 January 2017, Innocent Zimurinda, a former M23 major, was arrested at the Mubambiro checkpoint while he was on a reconnaissance mission and was transporting weapons to Bunagana;
- On 14 and 15 January 2017, Yussuf Mboneza and some 100 former M23 fighters escaped from Bihanga camp and headed towards the border between Uganda and the Democratic Republic of the Congo.
- During the night of 15 January 2017, reports were received from people in Uganda that armed men were entering the Democratic Republic of the Congo from Rwanda. The men had crossed over from the Mgahinga Park, located on the border between Rwanda, Uganda and the Democratic Republic of the Congo, and were heading to Chanzu and Runyonyi, on their way to Rutshuru. Similar reports were received from civilians in the Democratic Republic of the Congo. The reports were confirmed when the Armed Forces of the Democratic Republic of the Congo (FARDC) arrested a number of fighters, who admitted during questioning that they had been given instructions on how to cross the

border undetected in order to join armed groups in Busumba and Kashuga in North Kivu Province, with a view to triggering hostilities from within the territory of the Democratic Republic of the Congo, far from the borders with Rwanda and Uganda.

- On 15 January 2017, at 1 a.m., a Toyota Corolla car, licence plate number UAS978B, was pulled over in Bunagana, just across the border from the town of Kisoro. The car, which had just crossed into the Democratic Republic of the Congo, was carrying weapons and five suspects. Three of the suspects (Denis Mugisha, Emmanuel Wimana and Innocent Habashimana) were arrested and taken to Kisoro for questioning, while the other two managed to flee.

- On 17 January 2017, an aerial reconnaissance mission identified an armed group on the move 6 km east of Chanzu and 9 km south of Bunagana, the former stronghold of M23.

- On 18 January 2017, four vehicles carrying hundreds of former M23 soldiers from the Bihanga and Rwamwanja camps, which were all heading for Kisoro, just across the border from Bunagana, were stopped in Mbarara and Kabale at 9 p.m. by Ugandan police.

- On 19 January 2017, in a press release issued by the Office of the President, Uganda confirmed that a number of former M23 fighters had escaped from the camp in Bihanga, indicating that just 270 remained out of a total of 1,678; the latter figure is disputed as Uganda and the Democratic Republic of the Congo were unable to agree on a total when the fighters were first identified and registered in 2013. The press release also stated that some of the captured fighters had admitted that they were heading for the Democratic Republic of the Congo.

Your Council will agree with my Government that, in attempting to revive the war in North Kivu Province, the former members of M23 want not only to further destabilize the Democratic Republic of the Congo and cause further suffering to a population already devastated by the successive bloody conflicts that have taken place in that part of the country, but also to undermine all the efforts made by the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, the Democratic Republic of the Congo and the strategic partners of the framework agreement for the restoration of peace and stability in the region.

Of course, such a situation might divert the attention of the Government, which would be obliged to devote financial resources to the war. That would certainly jeopardize the successful conclusion of the political agreement on the organization of the elections and disrupt the electoral process itself. My Government therefore draws the attention of the Security Council to that situation and requests it to:

(a) Strongly condemn the conduct of the former members of M23 who have violated their commitments under the Nairobi Declaration to cease using violence to press their demands, and to transform themselves into a political party.

(b) Instruct Sultani Makenga and the former members of M23 to put an end to their new venture.

(c) Invite the former members of M23 to seize the opportunity provided by the amnesty offered by the Government to return to the country voluntarily as part of the disarmament, demobilization, repatriation, reintegration and resettlement process currently under way.

(d) Call on Rwanda and Uganda to facilitate the repatriation to the Democratic Republic of the Congo of former M23 members on their territories.

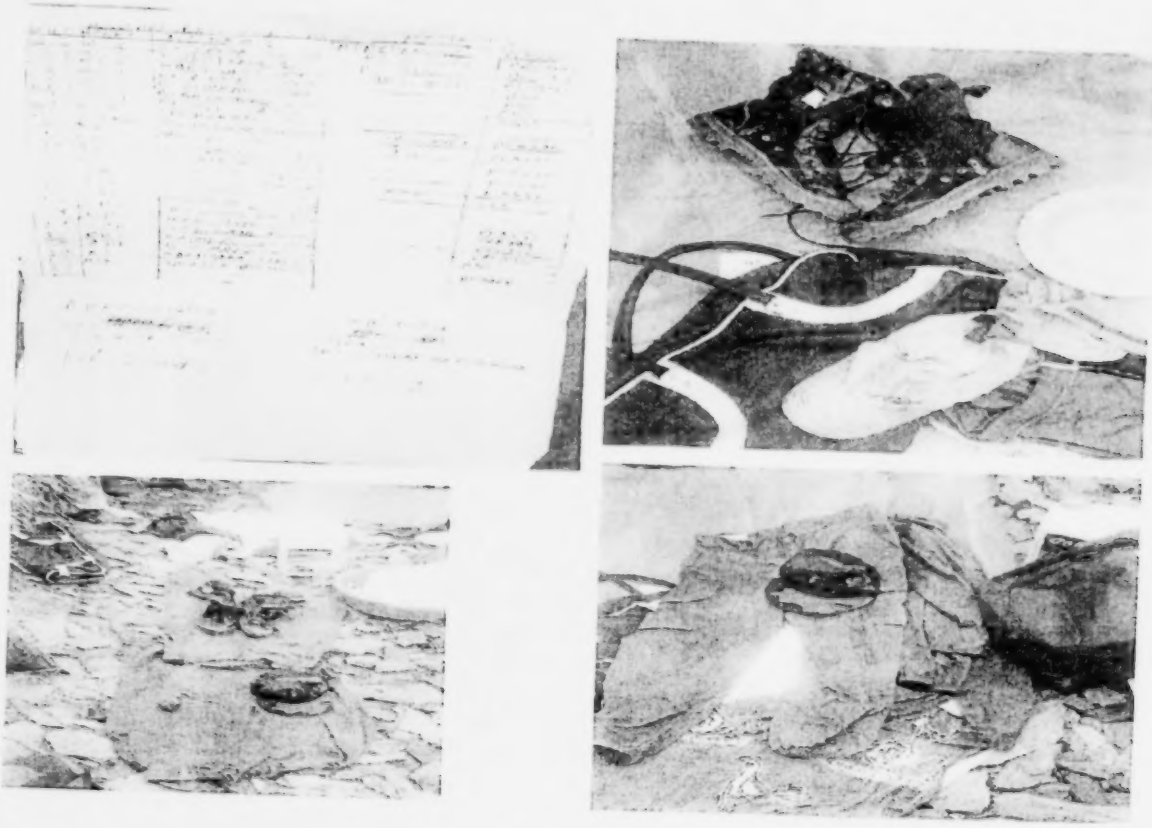
(e) Encourage all States that signed the Addis Ababa Framework Agreement, particularly Rwanda and Uganda, to fulfil the commitments set out in that Agreement and not to protect or support any armed group that seeks to destabilize a neighbouring State.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

Annex to the letter dated 27 January 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Personal effects left behind by the Makenga Group following an exchange of gunfire on Friday, 11 November 2016, in Sarambwe, Rutshuru territory, Democratic Republic of the Congo



United Nations S/2017/86

Security Council

Distr.: General
30 January 2017

Original: English

Letter dated 30 January 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the fortieth monthly report of the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013). The present report covers the period from 22 December 2016 to 22 January 2017.

The situation with regard to the destruction of the chemical weapons production facilities declared by the Syrian Arab Republic is unchanged. OPCW has verified the destruction of 24 of the 27 facilities. The Director General has been informed by the Syrian Arab Republic that the security situation on the ground still prevents safe access to the three remaining facilities by representatives of either the Government of the Syrian Arab Republic or the OPCW Secretariat.

With respect to the initial declaration and subsequent submissions of the Syrian Arab Republic, I recall the Director General's overview of the correspondence between OPCW and the Syrian Arab Republic in that regard and, in particular, that OPCW has urged the Syrian Arab Republic to take the steps necessary to complete its declaration. I welcome the commitment of the OPCW Secretariat to assisting the Syrian Arab Republic with the full implementation of its obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. I therefore reiterate the need for the Government of the Syrian Arab Republic and the OPCW Secretariat to work together to resolve those issues.

I deplore the use of chemical weapons by any party in the conflict in the Syrian Arab Republic. The progress that has been made towards a world free of chemical weapons and the threat of their use must be maintained. I would like to reiterate my previous calls to strengthen the norm against chemical weapons. Those responsible for their use must be held accountable. This norm has already been flouted and, without accountability, may be irreversibly undermined.

The OPCW Fact-Finding Mission in the Syrian Arab Republic is continuing its efforts to investigate allegations of the use of chemical weapons, including by studying all available information relating to such allegations. In that connection, I recall that the summary update of the activities carried out by the Fact-Finding Mission in 2016 and its report were transmitted to me by the Director General and subsequently circulated as a document of the Security Council (see S/2017/45).

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Please recycle

On 17 November 2016, by its resolution 2319 (2016), the Security Council decided to renew the mandate of the OPCW-United Nations Joint Investigative Mechanism for a further period of one year. Activities since that time have been focused on securing the professional capacity and resources required to implement that mandate. I wish to express my full support for the work of the Mechanism.

(*Signed*) António **Guterres**

Annex

[Original: Arabic, Chinese, English, French, Russian and Spanish]

I have the honour to transmit to you my report entitled "Progress in the elimination of the Syrian chemical weapons programme", prepared in accordance with the relevant provisions of OPCW Executive Council decision EC-M-33/DEC.1 and Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council (see enclosure). My report covers the period from 22 December 2016 to 22 January 2017 and fulfils the reporting requirements of Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Ahmet **Üzümcü**

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Note by the Director-General

Progress in the elimination of the Syrian chemical weapons program

Background

1. In accordance with subparagraph 2(f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") is to report to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also to be submitted to the Security Council through the Secretary-General.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of that decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2(f) of Council decision EC-M-33/DEC.1".

3. The Council, at its Forty-Eighth Meeting, adopted a decision entitled "Reports of the OPCW Fact-Finding Mission in Syria" (EC-M-48/DEC.1, dated 4 February 2015) noting the Director-General's intent to include reports of the OPCW Fact-Finding Mission (FFM) in Syria, along with information on the Council's discussion thereof, as part of the monthly reporting pursuant to United Nations Security Council resolution 2118 (2013). Similarly, the Council, at its Eighty-First Session, adopted a decision entitled "Report by the Director-General Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/DEC.4, dated 23 March 2016), noting the Director-General's intent to provide information on the implementation of that decision.

4. The Council, at its Eighty-Third Session, adopted a decision entitled "OPCW-United Nations Joint Investigative Mechanism Reports on Chemical Weapons Use in the Syrian Arab Republic" (EC-83/DEC.5, dated 11 November 2016). In subparagraph 12(a) of that decision, the Council decided that the Director-General shall "regularly inform the Council on the implementation of this decision and incorporate information regarding the implementation of this decision into his monthly reporting to the United Nations Security Council, through the United Nations Secretary-General, regarding EC-M-33/DEC.1".

5. This, the fortieth monthly report, is therefore submitted in accordance with the aforementioned Council decisions and includes information relevant to the period from 22 December 2016 to 22 January 2017.

Progress achieved by the Syrian Arab Republic in meeting the requirements of Executive Council decisions EC-M-33/DEC.1 and EC-M-34/DEC.1

6. Progress by the Syrian Arab Republic is as follows:

(a) The Secretariat has verified the destruction of 24 of the 27 chemical weapons production facilities (CWPFs) declared by the Syrian Arab Republic. The Secretariat was informed by the Syrian Arab Republic that the security situation still continues to preclude safe access both for the Syrian Arab Republic to destroy the remaining aircraft hangar, which stands ready to accept the explosive charges, and for the Secretariat to confirm the condition of the two stationary above-ground facilities.

(b) On 13 January 2017, the Syrian Arab Republic submitted to the Council its thirty-eighth monthly report (EC-84/P/NAT.5, dated 13 January 2017) regarding activities on its territory related to the destruction of its CWPFs, as required by paragraph 19 of EC-M-34/DEC.1.

Progress in the elimination of Syrian chemical weapons by States Parties hosting destruction activities

7. As reported previously, all of the chemicals declared by the Syrian Arab Republic that were removed from its territory in 2014 have now been destroyed.

Activities carried out by the Secretariat with respect to Executive Council decision EC-81/DEC.4

8. In decision EC-81/DEC.4, the Council requested the Secretariat, through the Declaration Assessment Team (DAT), to continue its efforts, on an expedited basis, to verify the accuracy and completeness of the Syrian Arab Republic's declaration and related disclosures, and to address the gaps, inconsistencies, and discrepancies it identified in the "Report on the Work of the Declaration Assessment Team Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/HP/DG.1, dated 22 February 2016). The Council also requested the Director-General, in parallel with the efforts of the DAT, to report to the Council, at all future sessions, any unresolved issues regarding the Syrian declaration and related submissions.

9. As reported previously, through a letter dated 13 October 2016 the Syrian Arab Republic declared certain parts of the Scientific Studies and Research Centre (SSRC) under paragraph 1(d) of Article III of the Chemical Weapons Convention (hereinafter "the Convention"). The Secretariat's assessment that this declaration was incomplete, in that it did not reflect the full scope and nature of the activities declarable under subparagraph 1(d) of Article III of the Convention, which had been carried out at the SSRC since 1 January 1946, was shared with the Syrian Arab Republic through a letter dated 1 November 2016, and was reiterated in a letter dated 6 December 2016, sent in reply to the letter from the Syrian Arab Republic dated 10 November 2016. The Secretariat also urged the Syrian Arab Republic to take the necessary steps to complete its declaration.

10. Further to these efforts, by letter dated 17 January 2017, the Secretariat forwarded to the Syrian Arab Republic, as a possible basis for future work, a matrix

which sets out, in a summarised form, the status of each of the outstanding issues related to the Syrian declaration. At the same time, the letter identified a number of documents which, taken with other documents listed in previous correspondence, would help to address certain gaps and inconsistencies.

11. The Secretariat remains fully committed to assisting the Syrian Arab Republic with the full implementation of its obligations under the Convention, Council decision EC-M-33/DEC.1, and United Nations Security Council resolution 2118 (2013) relating to the elimination of the Syrian chemical weapons programme, in particular to address the unresolved issues, including the gaps, inconsistencies, and discrepancies identified by the Secretariat in its report (EC-81/HP/DG.1).

Other activities carried out by the Secretariat with respect to the Syrian Arab Republic

12. As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), the Secretariat, on behalf of the Director-General, has continued to brief States Parties in The Hague on its activities.

13. As at the cut-off date of this report, one OPCW staff member was deployed as part of the OPCW Mission in the Syrian Arab Republic.

Supplementary resources

14. As previously reported, a Trust Fund for Syria Missions was established in November 2015 to support the FFM and other remaining activities, such as those of the DAT. As at the cut-off date of this report, contribution agreements totalling EUR 7.8 million had been concluded with Canada, Chile, Finland, France, Germany, Monaco, New Zealand, the Republic of Korea, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the European Union.

Activities carried out with respect to the OPCW Fact-Finding Mission in Syria

15. Guided by Council decisions EC-M-48/DEC.1 and EC-M-50/DEC.1 (dated 23 November 2015), as well as by United Nations Security Council resolution 2209 (2015), the FFM continued to study all available information relating to the allegations of use of chemical weapons in the Syrian Arab Republic. A summary update of the activities carried out by the FFM in 2016 was also issued by the Secretariat in December 2016 (S/1445/2016, dated 27 December 2016).

16. The Secretariat also submitted the "Report of the OPCW Fact-Finding Mission in Syria Regarding the Incident of 2 August 2016 as Reported in the Note Verbale of the Syrian Arab Republic Number 69 Dated 16 August 2016" (S/1444/2016, dated 21 December 2016). In paragraph 1.5 of that report, the FFM concluded that it was unable to "confidently determine whether or not a specific chemical was used as a weapon in the investigated incident".

17. As reported previously, letters dated 16 and 29 November 2016 were sent to the Secretariat by the Syrian Arab Republic in relation to incidents reported to have occurred on 16 September, 31 October, 3 November, and 13 November 2016 in the area of Aleppo. The FFM is currently translating and analysing the records of the 16 interviews conducted during its deployment in December 2016, along with the

associated documentation. With regard to the samples provided by the Russian Federation to the Syrian Arab Republic, a team of OPCW experts recovered the samples from the SSRC at the beginning of January 2017 and the samples were transported to the OPCW Laboratory.

18. In January 2017, an FFM team conducted three interviews and collected supporting evidence related to two other allegations of the use of chemical weapons. The FFM team will continue to gather additional evidence with regard to these two allegations.

Activities carried out by the Secretariat with respect to Executive Council decision EC-83/DEC.5

19. As reported previously, the Syrian Arab Republic has been informed of the commencement of the preparatory work in view of the implementation of Council decision EC-83/DEC.5, and in particular paragraphs 10 and 11 thereof.

Conclusion

20. The main focus of the future activities of the OPCW Mission in the Syrian Arab Republic will be on the implementation of Council decisions EC-83/DEC.5 and EC-81/DEC.4 and on the activities of the FFM, as well as on the destruction and verification of the remaining aircraft hangar, confirmation of the status of the two stationary above-ground facilities, and annual inspections of the underground structures already verified as destroyed.

United Nations S/2017/87

Security Council

Distr.: General
1 February 2017

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Letter dated 30 January 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to forward herewith a note from the Ministry of Foreign Affairs of the State of Eritrea in connection with the briefing to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea by the secretariat of the Intergovernmental Authority on Development, which was held at the request of the Ethiopian delegation on 16 December 2016 (see annex).

I would be most grateful if the present letter and its annex were brought to the attention of the members of the Security Council and circulated as a document of the Council.

(*Signed*) Amanuel **Giorgio**
Chargé d'affaires a.i.

17-01567 (E) 060217

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Annex to the letter dated 30 January 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the President of the Security Council

Inappropriate submission regarding Eritrea to the Security Council by the Intergovernmental Authority on Development

1. At the request of Ethiopia, on 16 December 2016, the secretariat of the Intergovernmental Authority on Development (IGAD) security sector programme presented a briefing to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea.

2. The briefing was conducted in closed consultations, in an informal setting, on the multiplicity of serious transnational security threats in the IGAD region. The IGAD secretariat circulated, at an earlier date, a "confidential draft" on the subject matter to the Security Council with the caveat that the report included "preliminary findings only". We are told that the "full report is scheduled for April 2017".

3. In the "confidential draft", IGAD announced that, in April 2015, it had launched a "transitional security threats initiative to promote cooperation between Member States, as a first step towards the establishment of a regional transitional security threats initiative centre".

4. Eritrea welcomes the establishment of a transitional security threats initiative centre as well as its precursor, the IGAD Security Sector Programme. In 1994, when IGAD was revitalized and its remit broadened to include a robust framework of regional security cooperation to prevent and resolve intra-State and inter-State conflicts, Eritrea was an ardent advocate and proponent of this notion. Eritrea maintained then — as it does now — that the aspirations and associated architecture of regional economic cooperation will remain fragile and unsustainable until, and unless, Member States create effective mechanisms to prevent and resolve costly conflicts that may arise within and between them. Eritrea believes that the initiative can indeed constitute, under appropriate circumstances, a vital component of the toolbox of the envisioned mechanisms that the region has to chart out to deter turmoil and funnel its substantial capacity and endowments in the pursuit of national and/or regional economic development.

5. Unfortunately, these lofty objectives were, and remain, compromised owing to the short-sighted and harmful policies of the Ethiopian regime. In its dogged desire to "isolate" Eritrea, the Ethiopian regime continues to violate the fundamental tenets enshrined in the IGAD Charter to block the resumption of activities by Eritrea in the organization. Sadly, the rotating chairmanship of IGAD has been monopolized by Ethiopia since 2008 to serve this selfish purpose, in breach of the normative practices of the organization.

6. Under these anomalous circumstances, it is clear that the IGAD purview, and programmes in general, and the presumptuous contents and recommendations of the confidential draft in particular, cannot have any relevance or credence with regard to Eritrea. As a matter of fact, the section on Eritrea contains nothing other than Ethiopia's usual worn-out invective against the country, although it is packaged this time, rather disingenuously, in "IGAD" garb.

7. Operative paragraph 7 of the confidential draft states that the document was compiled by an "independent research and evidence team operating under the auspices of the security sector programme". This oblique clause conceals the fact that one of the principal entities involved in the preparation of the report is Sahan Research — an outfit founded and directed by Matt Bryden, the former Coordinator of the Monitoring Group on Somalia and Eritrea, who was later discharged from his duties by the United Nations under compromising circumstances. As is well known, Matt Bryden was the principal author of the fabricated 2009 report by the Monitoring Group which accused Eritrea of sending 2,000 troops to Somalia. This was the primary justification for imposing the sanctions under resolution 1907 (2009) on Eritrea. Ethiopia is thus trying to bring back on to the scene, through the back door, the discredited Matt Bryden in its desperate attempts to induce the extension of the unwarranted Security Council sanctions against Eritrea.

8. For all these reasons, Eritrea strongly objects to the submission and consideration of the confidential draft by the Security Council, even in an informal setting.

9. The substantive section on Eritrea in the draft report is replete with gross misrepresentations of facts and events. While they assert, in several operative paragraphs of the draft report, that the Ogaden National Liberation Front (ONLF) and Al-Shabaab have "tense and hostile ties ... given their divergent ideological perspectives", the authors bend over backwards to insinuate Eritrean "proxy support to Al-Shabaab using the ONLF as a conduit". The desperate ploy is transparent indeed. The Monitoring Group has established, for four years in a row, that there is no support, or any links whatsoever, between Eritrea and Al-Shabaab. Ethiopia's primary motive for commissioning and submitting, at this point in time, the confidential draft to the Security Council under the convenient umbrella of IGAD is thus to cast aspersions on this indelible truth.

10. The confidential draft describes activities and operational modalities of several armed Ethiopian opposition movements. It then proceeds to dub "some of them", without specifying which ones, "terrorist organizations" simply because "that is how they are seen by Ethiopia". This is despite its admission, in the same breath, that "they are not designated as such by the United Nations". The authors of the draft report do not apparently know, or they have deliberately ignored, the fact that most, or all, of these groups were coalition partners with the ruling Ethiopian People's Revolutionary Democratic Front party both during the armed struggle against the Mengistu regime and in the subsequent transitional Government that they all set up in the aftermath of the fall of the latter.

11. The worst part in this sloppy depiction is the outrageous attempt to associate Eritrea with "the provision of improvised explosive devices" that these groups reportedly employ in their military operations. To dramatize this point, the authors stress that "Eritrea's propagation of this expertise is therefore of serious concern to the region". As explained above, literally all of these groups were former comrades-in-arms of the regime in Ethiopia in earlier times. These devices and other methods of warfare are, in fact, their stock-in-trade. To gloss over these realities in order to weave trumped-up charges against Eritrea underscores the ineptness of the authors of the document, as well as the inveterate malice of the Ethiopian regime, which has used, and is using, unscrupulously, the IGAD forum to advance its sinister agenda against Eritrea.

12. The draft report has a full chapter on Ethiopia. In this chapter, it talks about purported military and/or terrorist threats that Ethiopia faces, but it does not probe or discuss Ethiopia's sponsorship of, or involvement in, acts of destabilization against its neighbours. Ethiopia supports several subversive and terrorist organizations against Eritrea, including the Al-Qaida-trained Eritrean Islamic Jihad and other armed groups, such as the Red Sea Afar Democratic Organization, the Kunama Liberation Front and the Saho Liberation Front. Several of these groups routinely issue press releases and communiqués from Ethiopia on subversive or terrorist acts conducted against soft targets in Eritrea from their military bases in Ethiopia. There is no reference to these matters in the draft report on "transnational terrorist threats" in the region. Equally important, the draft report is silent on Ethiopia's continued occupation of sovereign Eritrean territories in violation of international law, its pronounced policy of "regime change" in Eritrea and the periodic acts of aggression that it commits against Eritrea in spite of their grave ramifications for regional peace and security.

13. Operative paragraph 8 of the draft report states that the "team personnel worked in close consultations with government officials from concerned Member States". It further reveals that "with the knowledge and consent of Member States, team members travelled to Djibouti, Ethiopia, Kenya and Somalia". The report even talks about the travel of one member of the team to Tanzania although the latter is not, and has never been, a member of IGAD. The team did not, however, travel to Eritrea, although a full and invective chapter of its report is dedicated to it. This act alone speaks volumes about the credibility, impartiality, objectivity and professionalism of the team and its work.

14. Not satisfied with all these hollow accusations against Eritrea, the draft report dedicates three operative paragraphs to Eritrea's presumed "violations of the Security Council arms embargo". However, this is not within its purview, as there is a full-fledged Council Security body, the Monitoring Group on Somalia and Eritrea, tasked with carrying out this job. Still, the draft report recycles a spurious story and cites the interdiction by a French naval vessel, on 20 March 2016, of a "stateless dhow in the Indian Ocean carrying a significant quantity of weapons, including 2,000 Kalashnikov-pattern assault rifles, sniper rifles and general purpose machine-guns and anti-tank guided missiles". The draft report then states that "the French authorities assessed that the weapons originated in Iran and were likely destined, via Eritrea for Somalia and/or Yemen ... If so, the shipment constituted a potential violation of resolution 1907 (2009)". How is Eritrea responsible for arms that originate from Iran that may be destined for Yemen or Somalia? This is too trite to merit any response and only underscores the fallacy and nefarious motive of the whole report.

15. In conclusion, Eritrea has been the victim, in recent years, of repeated trumped-up charges and falsified reports by hand-picked "expert groups" to advance the political agenda of harassment of certain Powers. This unwarranted witch-hunting of Eritrea has to end once and for all and Eritrea urges members of the Security Council to terminate the sanctions regime.

Ministry of Foreign Affairs
27 January 2017
Asmara

United Nations A/71/773–S/2017/88

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Agenda item 31
Prevention of armed conflict

Security Council
Seventy-second year

Letter dated 30 January 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Ukraine on the escalation of the situation in the Donbas region (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 31, and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Annex to the letter dated 30 January 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on the deteriorating situation in the Donbas region

30 January 2017

Ukraine's Foreign Ministry expresses deep concern over the intensification of the Russian terrorist forces in the Donbas region.

For the past two days, the Russian occupation forces have carried out massive attacks across the contact line using all available weapons, including "Grad" multiple-launch rocket systems, artillery of 152 mm and 122 mm, mortars of 120 mm and 82 mm and tanks, all prohibited by the Minsk arrangements, as well as small arms. Russian weapons have killed 8 Ukrainian soldiers and left 26 wounded.

Civilians suffer because of the shelling of residential areas; two civilians have been wounded. The cities of Yasynuvata and Avdiivka were fully cut off of electricity by the shelling. More than 400,000 peaceful civilians in the region have no access to water, electricity and heating. Given the harsh weather conditions and the continuing shelling by the militants, the humanitarian situation in the area continues to deteriorate.

Such actions of the Kremlin may qualify as a war crime, a gross violation of the Geneva Conventions of 12 August 1949 and an unlawful, wanton and extensive destruction of property not justified by military necessity.

Obviously, the current escalation in the Donbas region is a clear indication of Russia's continued blatant disregard of its commitments under the Minsk arrangements, with a view to preventing the stabilization of the situation and achieving any progress in the security and humanitarian spheres.

We demand that the Russian Federation cease hostilities immediately and comply strictly with the ceasefire.

We request that our international partners step up political and diplomatic pressure on the Kremlin to stop the dangerous escalation in the Donbas region and avoid a humanitarian catastrophe there.

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Security Council

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Final progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 2284 (2016), the Security Council extended the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) for a final period, until 30 June 2017, and requested me to provide, by 31 January 2017, an update on the implementation of the mandate of UNOCI and its phased drawdown, including the continued transition of its security responsibilities to the Government of Côte d'Ivoire. The present report contains major developments since my special report of 31 March 2016 (S/2016/297) and an update on the ongoing drawdown and transition of UNOCI, with a view to completing its mandate as provided for in resolution 2284 (2016).

II. Major developments

2. Preparations for and the conduct of the constitutional referendum on 30 October and the legislative election on 18 December were the key developments in Côte d'Ivoire. Dialogue between the Government and the opposition advanced, leading to the introduction, on 6 April, by the Government of a bill in the National Assembly on the status of a "Leader of the opposition". In the bill, it was stipulated that the position should be given to the candidate or the leader of the party that finishes second in a presidential election. On the basis of the results of the presidential election of 2015, the position would therefore be given to the president of the Front populaire ivoirien (FPI) opposition party, Pascal Affi N'Guessan, who came in second in that election. Other opposition leaders agreed in principle to the creation of such a position, but rejected the proposed criteria and modalities of appointment. The National Assembly began consideration of the bill on 4 July; however, as the opposition became increasingly hostile towards the constitutional reform process, five parliamentary caucuses affiliated with the Rassemblement des républicains (RDR) and the Parti démocratique de Côte d'Ivoire (PDCI) asked to suspend consideration of the bill, which is pending approval in the Assembly.

3. The period leading up to the constitutional referendum was dominated by antagonism between the ruling majority party supporting the constitutional reform initiative of the President, Alassane Ouattara, and the opposition, which rejected it.

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Some media outlets disseminated inflammatory rhetoric, hate speech and incitement to violence and called for a boycott of the referendum. On 30 May, the President established a committee of experts tasked with elaborating a new constitution. From 7 to 13 June, the President and the committee consulted separately with opposition political parties of the Cadre permanent de dialogue, followed by traditional chiefs, religious leaders and civil society organizations, and concluding with the ruling coalition, the Rassemblement des houphouétistes pour la démocratie et la paix (RHDP). The draft new constitution developed by the committee, which contains important new provisions addressing the root causes of the past civil war, including land tenure, nationality and identity, was officially presented to the President on 24 September and endorsed by the Government on 28 September and by the National Assembly on 5 October.

4. The political opposition, including FPI, challenged the legitimacy of the committee of experts. On 30 June, a group of 23 small opposition political parties led by Mr. N'Guessan, under the banner of the Collectif des partis de l'opposition démocratique, issued a statement rejecting the constitutional review process as "undemocratic and unilateral". From August to 30 October, the opposition's protests against that process consolidated around two groups, the "Coalition du non" and the "Front du refus", both comprised of FPI dissidents. The latter group was led by Aboudramane Sangaré and included hardline elements of FPI and other smaller opposition parties and politicians, including the president of the Liberté et démocratie pour la république (LIDER) party, Mamadou Koulibaly, and a former presidential candidate, Konan Bertin. They argued that the referendum was neither legal nor legitimate and that Côte d'Ivoire had first to make progress towards national reconciliation before embarking on institutional reforms. They also criticized the process for not being sufficiently participatory. Nevertheless, they indicated that, once all conditions were met, Ivorians might meet to discuss issues facing the nation through an expanded national dialogue, including all segments of society. RHDP rejected the proposal.

5. A nationwide voter registration exercise conducted by the Independent Electoral Commission from 25 June to 24 July registered 375,352 new voters, increasing the total number of eligible voters to 6,439,876, of whom 49 per cent were women. Upon the publication of the final electoral roll on 12 October, the umbrella civil society organization Plateforme des organizations de la société civile pour l'observation des élections en Côte d'Ivoire observed that the transparent voter registration process had been transparent but criticized the low rate of young people registered. From 15 to 27 October, the Commission shared the electoral roll with all political parties and distributed voter cards and related materials for the referendum and legislative election.

6. With a view to encouraging the opposition and the Government to resume dialogue, my Special Representative for Côte d'Ivoire and Head of UNOCI met the FPI-led Alliance des forces démocratiques on 1 September and the Minister-in-charge of Political Dialogue on 5 September. This led to the Government initiating conciliatory gestures, including unfreezing 12 bank accounts and releasing nine more detainees, both of which had been major demands of the opposition. As a result, dialogue between the Government and FPI resumed on 8 September. FPI also discussed the proposed constitutional reform with the committee of experts. My Special Representative also met representatives of the Plateforme des organizations

de la société civile pour l'observation des élections en Côte d'Ivoire and the civil society organization the West African Network for Peacebuilding — Côte d'Ivoire, given their concerns about inclusivity and the participation of civil society in public awareness-raising activities on the constitutional reform. On 17 September, however, the opposition launched a campaign against the reform and called for a constitutional commission to decide whether the Constitution should be amended. Similarly, a group of 18 civil society organizations called upon the Government to undertake a "more inclusive and transparent" process. Furthermore, on 13 October, the president of FPI called for a boycott of the forthcoming referendum and, on 20 October, the Front du refus organized a march to protest against the reform. Police used tear gas to disperse the demonstrators, and a few opposition leaders were detained briefly.

7. The official referendum campaign was conducted from 22 to 28 October without incident. On 30 October, the referendum was held in a peaceful atmosphere and without any major incidents, notwithstanding minor disruptions in some 100 polling stations of the 20,024 nationwide. The Minister of Justice stated that charges would be brought against individuals involved in those disturbances. As a result, between 4 and 6 November, a few opposition figures of the Front du refus, including the president of LIDER and Mr. Sangaré, were questioned in court for a few hours. On 4 November, the Constitutional Council validated the results of the referendum announced by the Independent Electoral Commission, with 93.42 per cent voting in favour of the revised Constitution. Of 6,318,311 registered voters, a total of 2,678,601 cast their ballot, resulting in a voter turnout of 42.42 per cent. On 8 November, the President promulgated the new Constitution.

8. The referendum was observed by several organizations, including the Commission nationale des droits de l'homme, the West African Network for Peacebuilding and the Plateforme des organizations de la société civile pour l'observation des élections en Côte d'Ivoire. The United Nations Development Programme (UNDP) provided support to civil society to carry out awareness-raising of the right to vote and of peaceful participation. All observers stated that, overall, the referendum had been conducted in a peaceful and satisfactory manner. However, the Commission underscored a few cases of violations of the right to freedom of expression and equitable access to information and the media, while the West African Network for Peacebuilding noted some disturbances at a number of the polling stations on the day of the referendum, which did not taint the fairness of the process.

9. Preparations for the legislative election began immediately after the referendum, with intensified forging of alliances by political parties. On 7 December, the Constitutional Court validated the final list of 1,337 candidates, including 740 independent candidates, of whom only 166 (12.4 per cent) were women. On 18 December, the country voted peacefully in the legislative election. No serious security incidents were reported. Of the 6,318,311 registered voters, a total of 2,027,078 cast their ballots, resulting in a voter participation rate of 34.1 per cent, which was slightly lower than in the previous legislative poll, held in 2011 (37 per cent). In line with the new Constitution, members of the legislature were elected for an exceptional four-year term instead of five years, until 2020, when all provisions of the new Constitution will come into force. Of the 254 newly elected members of the National Assembly, 225 are men and 29 are women (11.42 per cent).

10. RHDP, the Union pour la démocratie et la paix en Côte d'Ivoire (UDPCI) and the Union pour la Côte d'Ivoire (UPCI) won 167, 6 and 3 seats, respectively, while FPI secured 3 seats and the independent candidates the remaining 76 seats (75 of which had previously been associated with the ruling coalition). The number of seats won by independent candidates (29.53 per cent) is significantly higher than in the 2001 and 2011 legislative elections.

11. While voter turnout was, in general, higher in the northern regions, with up to 95 per cent turnout, there was lower participation in the southern and central regions, including the Abidjan district (15.7 per cent), Bouaké (16.99 per cent) and Yamoussoukro (18.57 per cent). Within RHDP, RDR remains the strongest partner, with 99 seats, followed by PDCI, with 67 seats. The significantly low achievement of three seats secured by FPI, of 187 fielded candidates, fell short of its declared ambition to gain at least 30 seats. In that regard, on 26 December, president of FPI, commenting on the party's poor result in the legislative election, recognized that FPI had to detach itself from the former President, Laurent Gbagbo, who "became a stumbling block" for the party.

12. On 9 January, Guillaume Soro was re-elected president of the National Assembly, while the Government of the Prime Minister, Daniel Kablan Duncan, resigned. On 10 January, in accordance with the new Constitution, the President appointed the former Prime Minister as First Vice-President of Côte d'Ivoire and Amadou Gon Coulibaly as Prime Minister. On 11 January, the new 28-member Government was formed: 19 returning ministers, 6 of whom were women, and 9 new ministers. The Ministries for Human Rights and Public Liberties were dissolved and 12 others were merged into 6 ministries.

National and international justice

13. On 27 October, the Government took stock of the residual challenges in the field of transitional justice in Côte d'Ivoire during a high-level conference organized by the International Centre for Transitional Justice, in partnership with UNDP, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNOCI. The conference attendees recommended ensuring accountability and redress in an equitable and inclusive manner. On 31 October, the President announced that Côte d'Ivoire had no intention of withdrawing from the International Criminal Court. Since June 2016, the hearings in the trial of Mr. Gbagbo and the former Minister of Youth, Blé Goudé, before the Court have been closed to the media in order to protect witnesses.

14. With respect to national proceedings, on 31 May, the trial of the former First Lady, Simone Gbagbo, for crimes against humanity and war crimes committed during the post-election crisis of 2010 and 2011 began before the Criminal Court of Abidjan and has been open to the public and the media. The trial was suspended from 8 to 18 July owing to the hospitalization of the defendant and from 1 August to 10 October owing to the court's recess. Since 2 November, the trial has adjourned several times following the decision of Mrs. Gbagbo's defence counsel to suspend its participation in the trial owing to the refusal of the president of the Court to subpoena five senior public officials, including the president of the National Assembly.

National reconciliation and social cohesion

15. On 25 October, the final report and recommendations of the Dialogue, Truth and Reconciliation Commission, presented to the President on 15 December 2014, were officially released during a public ceremony in Abidjan. On 19 October, the mandate of the successor to the Commission, the National Commission for Reconciliation and Compensation of Victims, ended with the presentation of the final report to the President. The report, which is yet to be made public, includes a consolidated list of victims of crises in Côte d'Ivoire from 1990 to 2012, a proposal for national reparations and a draft reconciliation action plan. Civil society and victims' groups criticized the current reparations process as non-inclusive and called for the establishment of an appeals mechanism for those applicants denied the status of "victim".

16. Alongside efforts towards national reconciliation and social cohesion, the Government continued with the restitution of illegally occupied properties. To date, 1,204 of 1,731 claims received by the established State committee on this issue have been returned to their rightful owners, mainly properties of the associates of Mr. Gbagbo in Abidjan, while 189 are under consideration. A further 338 claims remain to be processed.

17. The UNOCI partnership with the United Nations country team, the Government and local administrators to ensure a timely and effective response to reported incidents of intercommunal violence continued. The Government has enhanced its awareness of and response to latent threats, including the implementation of the national social cohesion programme. From 6 to 8 December, in Bouna, the Government, in coordination with the office of the Ivorian ombudsman and with support from UNDP and UNOCI, organized a high-level workshop to identify and find solutions to obstacles to social cohesion further to the intercommunal violence of March 2016 in the area. Participants agreed on a 12-point commitment, including action to restore confidence between the population and security forces, efforts to combat impunity for crimes committed during the violence and establish early warning mechanisms. The implementation of the commitments will be monitored by a committee comprising representatives of all communities.

18. From 1 April to 30 August, UNOCI, in partnership with the United Nations country team, supported 10 capacity-building workshops on conflict prevention for *sous-préfets* and traditional chiefs as part of a nationally owned early warning initiative involving some 450 participants, including young people and women, from 31 regions of Côte d'Ivoire. In addition, UNOCI and the Government developed a transition framework for a social cohesion strategy for conflict prevention and trained 584 government administrators, including 190 women, at the National School of Administration on mediation and conflict prevention. They will be deployed throughout the country at the conclusion of their programme in 2017.

Security situation

19. The security situation remained stable and continued to show signs of improvement, with an overall downward trend of security incidents since the beginning of 2016. Intercommunal conflicts, armed robberies, sexual and gender-

based violence and violence against minors, as well as other criminal activities, still contribute to insecurity in some parts of the country. While armed attacks in the south-west declined, tensions over land disputes have increased with the resumption of the voluntary repatriation of refugees from Liberia to western regions of Côte d'Ivoire. In the east, sporadic armed robberies and clashes between the local population and security forces are still reported. Social unrest, primarily in the form of public demonstrations and protests, occurred. There were violent demonstrations in July triggered by hikes in electricity tariffs, protests by university students in April and July over campus tertiary education conditions, a strike by university lecturers in August regarding their remuneration, strikes by primary and secondary schoolteachers in September and October and in January 2017 over salaries and pension reforms, and protests by students in January. The Government addressed those situations without any serious security incident. Following the negotiations with the schoolteachers that the Government had held in mid-January, the protesters announced the end of the strike on 23 January.

20. Following the terrorist attack in Grand-Bassam on 13 March, the Government stepped up preventive measures and strengthened border controls to counter terrorist threats. On 6 April, it adopted an action plan on the fight against terrorism. On 13 April, the Minister of the Interior and Security announced that 83 people had been arrested in connection with the attack. According to the Government, some of the suspects participated in that attack and in ones carried out in Ouagadougou and Bamako. On 9 January, the French forces deployed under "Operation Barkhane" in Mali reportedly arrested another suspect, Mimi Ould Baba Ould Cheikh, near Gao, Mali. He allegedly admitted to having masterminded and supervised the attack in Grand-Bassam.

21. Land disputes tended to concentrate in areas along the country's western and eastern borders and in some northern areas. On 11 May, 61 persons were arrested in connection with the intercommunal violence of 24 March in Bouna allegedly over disputed grazing areas and skirmishes for control of traditional power in the area, which left more than 30 persons dead, 52 wounded and some 2,900 internally displaced, while another 2,000 fled to neighbouring Burkina Faso. The presence of armed, non-integrated former combatants and *dozo* elements complicated the situation. UNOCI deployed a 105-strong quick reaction force to Bouna to protect civilians, while the armed forces of Côte d'Ivoire established a temporary command post in the area to restore calm and enhance border control.

22. Rumours of attacks and the presence of armed individuals continued in areas near the border with Liberia, in particular in Tabou, owing to the suspected presence of a large number of former combatants. On 29 March, two soldiers were wounded in an attack by unidentified assailants against an army post near the Liberian border village of Nero in the Tabou area. Skirmishes along the border with Mali in April, in particular in the villages of Ouelli and Débété, Tengrela region, raised concern. To counter cross-border insecurity, including terrorist activities, the Governments of Côte d'Ivoire and Mali are coordinating efforts.

23. The mutiny on 6 and 7 January 2017 by Ivorian soldiers was similar to the protests of 18 November 2014 by the military over unresolved grievances, such as unpaid allowances, promotions and housing subsidies. It occurred at a critical political juncture, with the renewal of institutions and changes in the Government

following the promulgation of the new Constitution and the legislative election. The mutiny, which began in Bouaké, spread quickly to Daloa, Daoukro, Ferkessédougou and Korhogo, reaching Abidjan on 7 January. The protest ended without any serious incidents following an agreement reached by the Minister-in-charge of Defence with the mutineers. The Government began paying the soldiers their pending allowances on 13 January. However, on 17 January, gendarmes and other personnel from the military training centre in Zambakro initiated another protest, demanding the payment of compensation packages. Such protests were also reported in Abidjan, Bondoukou, Bouaké, Daloa, Ferkessédougou, Gagnoa and Man. On the same day, four soldiers were killed in Yamoussoukro as a group of disgruntled soldiers were attempting to seize arms and ammunition from the depot guarded by the Republican Guard. Following further negotiations, the Government reached an agreement with the new group of mutineers and the situation calmed down in full by 21 January.

Regional issues

24. Bilateral relations between Côte d'Ivoire and Burkina Faso improved after the Burkinabé judicial authorities withdrew charges against the president of the National Assembly on 6 June. However, the international arrest warrant issued on 15 December 2015 by the Burkinabé prosecutor against former the President of Burkina Faso, Blaise Compaoré, for his alleged role in the killing of another former President, Thomas Sankara, in October 1987 remains in force.

25. Strengthening regional cooperation to combat terrorism was at the heart of several events. From 10 to 13 May, the Mano River Union held a series of meetings in Côte d'Ivoire to finalize a memorandum of understanding on maritime security and a framework for counter-terrorism. On 27 May, a summit of the West African Economic and Monetary Union considered fostering collective regional security. Regional cooperation on maritime security improved following the signing on 1 June of a bilateral agreement between Côte d'Ivoire and Ghana on border control and on settling their maritime boundary dispute through dialogue.

26. On 8 September, Côte d'Ivoire reopened its borders with Guinea and Liberia following the end of the international health emergency surrounding the Ebola virus disease. Local community-based conflict prevention mechanisms under the Mano River Union joint border security and confidence-building units in the Zwedru-Toulépleu and the Tabou-Harper axes were reactivated in June and August 2016, respectively. Current efforts are focused on improving information-sharing and confidence-building between the population, local authorities and security forces on both sides of the borders.

Reform of security institutions

27. The Ministry of Defence and other related institutions are working to ensure the implementation and operationalization of the military programming law (2016-2020) and the law on the organization of armed forces. These arrangements are intended to be implemented over the coming five years and entail the operationalization of a new organizational structure for the Ministry, the reorganization of human resources, the adjustment of the command and control structure and the strengthening of operational capabilities. In addition, under the law on the organization of the armed

forces, the Forces républicaines de Côte d'Ivoire were officially renamed the Forces armées de Côte d'Ivoire on 14 November 2016.

28. However, as shown by the protests by soldiers in January, serious challenges remain with regard to the status of security sector reform, including cohesion, discipline, training and conditions of service in the army. There is also a need to enhance the operational capacity of the police and gendarmerie through the provision of adequate equipment. These deficiencies are to be addressed in part through the implementation of the internal security planning law.

Disarmament, demobilization and reintegration

29. As reported by the national authority for disarmament, demobilization and reintegration, a total of 69,506 former combatants, including 6,105 women, entered the national programme for disarmament and demobilization that had been implemented from 2012 to 2015, including 66,216 who were reinserted with the support of UNOCI. As at 30 May, the reinsertion of an outstanding caseload of 4,769 ex-combatants remained, out of which 3,015 ex-combatants had not been processed because they had stable jobs or were employed, already enrolled in training activities, not interested in the programme or unreachable. According to the Government, the remaining 1,754 ex-combatants awaiting reinsertion received a reinsertion package in July. From 1 April to 30 June, the implementation of the Government's resocialization programme, payment of transitional safety allowances and support for the vocational training component of the programme, with UNOCI assistance, contributed to an increase in the number of former combatants in reinsertion initiatives. Some 2,000 former combatants in Liberia are yet to join the national programme.

30. A total of 43,510 armaments, including 14,121 weapons, were collected throughout the disarmament, demobilization and reintegration period from 2012 to 2015. The low number of collected weapons and items of explosive ordnance can be explained by the significant number of weapons still hidden within communities. The national commission for the fight against small arms and light weapons continued community weapons collections, offering benefits to civilians in exchange for weapons and ammunition, involving local and traditional authorities in raising the awareness of target groups.

Human rights situation

31. The human rights situation in Côte d'Ivoire is, in general, improving. Human rights violations decreased from the post-election crisis of 2010 and 2011, from 1,726 cases noted in my report of 30 March 2011 (S/2011/211) to 88 documented between 1 April 2016 and 15 January 2017. Those cases comprised the following: 13 violations of the right to life against 31 people, including 4 women; 24 violations of the right to physical integrity against 25 people, including 2 women; 33 cases of illegal and arbitrary arrest and detention against 188 people, including 1 woman; 3 violations of the right to peaceful assembly; and 15 violations of the right to property. Only one alleged perpetrator in those cases was convicted to three years' imprisonment, while two others were arrested and remain in pretrial detention.

32. UNOCI investigated the human rights abuses that had been committed during the March intercommunal violence in Bouna. It established the circumstances

surrounding the killing of at least 27 persons, including 4 women and 2 boys, allegedly by *dozos*, with most of the victims belonging to the Fulani, Koulango and Malinké ethnic groups. At least 117 people, primarily *dozos*, have been arrested and the investigation is continuing.

33. UNOCI continued to provide technical assistance to strengthen the capacity and effectiveness of the National Human Rights Commission, of the joint human rights mechanism of the army, the Commission and UNOCI and of local human rights civil society organizations, focusing on strengthening their human rights monitoring and reporting skills. Seven capacity-building activities were conducted with the Commission from 29 September to 29 November for the staff of its 31 regional offices, funded by the Government of Canada. In September and October, four capacity-building workshops were jointly organized for newly appointed army focal points of the joint human rights mechanism, representing the four military regions of Côte d'Ivoire.

34. UNOCI supported the National Human Rights Commission in developing its complaints management manual and its strategic plan for the period 2017-2020. On 11 November, the Commission presented its 2015 annual report to the President. It was made public on 9 December. In it, the Commission noted human rights violations committed in the context of the presidential election of 2015, the situation of children in conflict with the law and child education and stressed the importance of the resumption of political dialogue between the Government and the opposition.

35. UNOCI continued to support human rights mainstreaming with the mapping of the human rights education needs of the police and gendarmerie academies. On 12 and 13 May, a training session on basic human rights norms and principles and their application in the civil service was conducted for students of the National School of Administration.

36. On 1 July, the Human Rights Council adopted a resolution extending, for a final one-year period, the mandate of the Independent Expert on the enhancement of capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights (A/HRC/RES/32/30). Referring to his fourth mission to Côte d'Ivoire in May, the Independent Expert highlighted the need to strengthen the judicial system, prevent community tensions, step up efforts to combat terrorism while complying with human rights standards and consolidate the disarmament, demobilization and reintegration process.

Sexual violence

37. The number of reported cases of sexual and gender-based violence has progressively decreased, owing in part to the concerted awareness-raising efforts by UNOCI and United Nations partners with the Ivorian military, communities and schools. Compared with 180 cases noted in my report of 12 December 2014 (S/2014/892), during the period under review UNOCI documented 34 cases, which comprise the following: 25 cases of rape and 9 cases of other forms of sexual and gender-based violence, including 2 forced marriages and 2 cases of female genital mutilation, perpetrated against 14 girls and 1 woman. At least 23 perpetrators were arrested; 9 of them were tried and sentenced to prison terms ranging from one month to five years. In the remaining cases, the suspects were either acquitted for

lack of evidence, failure to attend court or the victim's withdrawal of the complaint for fear of retaliation. Progress has been slow, however, in the investigation and prosecution of cases of sexual violence in connection with the post-election crisis of 2010 and 2011.

38. On 3 June, the President signed a decree on the creation of a national committee to combat conflict-related sexual violence, which is mandated to coordinate the Government's efforts to prevent and respond to such violence. On 11 July, UNOCI and OHCHR released a joint report on crimes of rape and their prosecution in Côte d'Ivoire, following which two ministerial circulars were adopted on the prosecution of rape and the registration of complaints for gender-based violence. On 19 and 20 July, to ensure the effective implementation of the action plan of the armed forces on conflict-related sexual violence, UNOCI and the army conducted a high-level advocacy session for army leadership, which resulted in the signing of undertakings by 30 army and 8 national gendarmerie commanders to combat conflict-related sexual violence.

39. My Special Representative on Sexual Violence in Conflict visited Côte d'Ivoire in May and November 2016 and discussed with the Prime Minister and members of the Government the support under her mandate for addressing remaining challenges in the light of the impending withdrawal of UNOCI. In line with a United Nations workshop held in Abidjan from 14 to 22 September, my Special Representative urged the Government to implement the national programme on gender-based violence launched in June.

Child protection

40. UNOCI recorded the lowest number of cases of violations against children, from 1 April 2016 to 15 January 2017. There were 10 violations against children, including 3violations of the right to life against three boys; 3 cases of rape and other sexual violence by State agents, including 2 by army elements, against three girls; 3 violations of the right to liberty and security against six boys; and 1 violation of the right to a fair trial against one boy.

41. UNOCI continued to work on strengthening the juvenile justice system, in particular for the national judiciary to implement decisions consistent with the principle of the "best interest of the child". A national judicial protection policy for minors and youth, drafted with UNOCI support, remains to be adopted by the Ministry of Justice. Modules on child protection were also incorporated into the military academy's training curricula.

Gender

42. UNOCI continued to support the convening of platforms that allow women in politics and in civil society organizations to discuss political issues, such as gender equality and women's rights provisions in the new Constitution, as well as the selection of candidates for the legislative election. To encourage and enhance women's participation in social cohesion efforts and confidence-building in identified hotspots, three quick-impact projects implemented in 2015 and 2016 were inaugurated, including the rehabilitation of women's market spaces and women's and young people's meeting spaces and the construction of a local food production facility. UNOCI also supported the establishment of focal points for gender and

security sector reform in the armed forces and began 12 quick-impact projects to establish gender desks in nine police and three gendarmerie stations, which are intended to assist victims of sexual and gender-based violence. Awareness-raising on gender and women and peace and security concerns continued for uniformed and civilian personnel of UNOCI.

Economic situation

43. The Ivorian economy continued to experience solid growth and a controlled fiscal and external balance. As a result, the country is expected to achieve a real growth rate of gross domestic product of approximately 8.7 per cent in 2016 (which is below the 8.9 per cent achieved in 2015). The Government adopted a draft budget that has increased by 11.2 per cent since 2015. Budget implementation was satisfactory, with revenues exceeding objectives and higher expenses than expected due to an acceleration of the implementation of public investment projects. Spending to reduce poverty increased by 10.5 per cent on average (since 2015) in the context of the significant progress made in the implementation of structural reforms. The budget deficit is expected to stand at 3.5 per cent of gross domestic product in 2016 (against 3.7 per cent in 2015). The external accounts continued to improve and the level of external debt (36 per cent of gross domestic product) remains sustainable, notwithstanding a further increase in public spending. Inflation remained moderate, or less than 2.5 per cent, in 2016. Notwithstanding the progress made in these areas, economic growth still needs to become more inclusive, with continued efforts to combat inequality.

44. Côte d'Ivoire continues to assist private sector development by promoting business opportunities in the agriculture, industry, mining and services sectors. The Government has placed specific emphasis on improving the business environment. In November 2012, it had enacted an investment code. Four years later, it resulted in businesses being given a total exemption from the value added tax, a 40 per cent reduction in customs duties and tax exemption on profits, and continues to create a window for investment and foreign trade.

Humanitarian situation

45. United Nations agencies, funds and programmes helped the Government to meet the humanitarian needs of some 3,500 people displaced by the intercommunal violence in Bouna in March, most of whom had returned to their places of origin by July.

46. By 31 July, the last of the some 25,000 illegal occupants of the Mont Péko National Park were moved from their settlements, completing a government-led evacuation. Notwithstanding a year-long awareness-raising campaign, the evacuation created humanitarian needs for those displaced, including 18,300 children and 24,000 people from receiving communities. Joint assessments revealed acute needs in food security, health, water, sanitation and shelter. The response was well coordinated through the enlarged coordination committee and a specific local committee established in Duékoué. In early September, the Emergency Relief Coordinator approved a grant of $2.1 million from the Central Emergency Response Fund targeting 20,000 beneficiaries with food, non-food-items, shelter and direct assistance in water and sanitation, health and protection sectors. Given that the

affected population is predominantly Burkinabé, the Government, supported by the International Organization for Migration, is exploring options to assist the voluntary repatriation of those willing to return to Burkina Faso. A Burkina Faso-Côte d'Ivoire joint commission was established in October to discuss the repatriation.

47. On 8 September, the Minister of Health announced the lifting of Ebola-related prevention measures, including an end to the closure of the border with Guinea and Liberia (see para. 26 above). Consequently, the Office of the United Nations High Commissioner for Refugees (UNHCR) was able to resume the voluntary repatriation process of Ivoirian refugees from the Nzérékoré region of Guinea. Notwithstanding the closure of the border, repatriations from Liberia had been continuing through a humanitarian corridor since December 2015. Overall, the repatriation process continues mainly from the camps and host communities in Liberia. From December 2015 to 15 January 2017, UNHCR facilitated the return of 20,376 refugees, mainly from Liberia. Some 20,000 Ivorian refugees remain in Liberia.

48. On 9 September, the Prime Minister signed a national action plan on disaster risk reduction for the period 2017-2020, which is part of the Government's commitment to implementing the Sendai Framework for Disaster Risk Reduction 2015-2030 in order to demonstrate its support for durable development goals.

III. Deployment of the United Nations Operation in Côte d'Ivoire

Military component

49. Given the overall improved security conditions on the ground and the progress made by Côte d'Ivoire in assuming its security responsibilities, pursuant to resolution 2284 (2016), UNOCI continued its incremental troop drawdown. By 31 August, UNOCI had withdrawn 1,969 military personnel, reaching its authorized strength of 2,000 personnel. This comprises one infantry battalion deployed in the southwest (650), the quick reaction force (650), a headquarters protection unit (300) and associated enablers, specifically aviation (176) and signals (66), as well as 58 staff officers and 100 military observers, consolidated at nine team sites primarily in the south-west.

50. The final withdrawal of the UNOCI military component is continuing and scheduled to be completed by mid-February 2017. The Senegalese quick reaction force with the associated aviation unit are scheduled to deploy to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). Arrangements to deploy an advance party of up to 250 military personnel directly from UNOCI to MINUSMA are under way. The rest of the contingent will repatriate to Senegal for reconfiguration and training and deploy to MINUSMA by mid-August. The remaining military headquarters personnel will leave Côte d'Ivoire by 30 April.

Police component

51. UNOCI police prioritized efforts to enhance the capacity of national law enforcement agencies, with a focus on operational-level support for the national police, gendarmerie and the transnational crime unit. Pursuant to resolution 2284

(2016), UNOCI repatriated three formed police units and 250 individual police officers, reaching the authorized strength of 670 police personnel by December 2016, including three 140-strong formed police units deployed to Abidjan, Bouaké and Daloa, as well as 250 individual police officers. In order to complete the withdrawal of all UNOCI police by April 2017, the repatriation of the remaining three formed units has been brought forward to mid-February. Team sites decreased from 23 to 12 as of December 2016 and, by February, only those in Abidjan, Bouaké and Daloa will remain, with the latter two closing in March.

Civilian component

52. UNOCI is implementing a phased drawdown of its civilian staff on the basis of a plan that prioritizes the requirements for mandate implementation through 30 April 2017 and completion of the transition and the closure of UNOCI by 30 June. In June, September and December 2016, 154, 48 and 360 civilian staff, respectively, left UNOCI. Further reductions in civilian staff will be effected on a monthly basis through 30 April, at which point only 159 personnel will remain, including 148 associated with the liquidation of UNOCI and 11 supporting my Special Representative in fulfilling the mandate relating to political facilitation in accordance with paragraph 18 of resolution 2284 (2016). The efforts of UNOCI to assist national staff in finding employment has resulted in some being recruited by the Government, the United Nations country team, other peacekeeping operations, international and non-governmental organizations and the private sector. The Fondation Félix Houphouët-Boigny pour la recherche de la paix also recruited 19 former staff of the UNOCI FM radio station to progressively take over and begin operating the Operation's broadcasting services by 28 February.

Safety and security of personnel

53. Criminality and traffic accidents remained the main concern for staff. From 15 March 2016 to 15 January 2017, five criminal acts were perpetrated against United Nations personnel. Sixteen cases of road accidents were registered involving United Nations vehicles, of which none was fatal. Five United Nations vehicles were stoned during various incidents.

Serious misconduct, including sexual exploitation and abuse

54. UNOCI continued to work towards full compliance with my zero tolerance policy on sexual exploitation and abuse and other misconduct. Preventive measures recommended in my report on special measures for protection from sexual exploitation and sexual abuse (A/70/729) were implemented, such as an improvement in living conditions in barracks, the regular inspection of camps and the strict enforcement of conduct-related directives. From 1 April to 15 January 2017, 7 category 1 and 14 category 2 allegations were reported, including 5 allegations of sexual exploitation and abuse that are under investigation.

IV. Transition of the United Nations in Côte d'Ivoire

55. Together with the Government, the United Nations country team, bilateral and multilateral partners, UNOCI mapped the international community's support for

Côte d'Ivoire with regard to challenges remaining in key tasks that would continue after its withdrawal. Six thematic technical committees were established to discuss social cohesion; human rights and transitional justice; security sector reform; disarmament, demobilization and reintegration; weapons management and civilian disarmament; defence, security and law enforcement; and communications, specifically the operation of the ONUCI FM radio station. The result was the development of a handover plan for UNOCI signed on 17 October by all stakeholders. In it, key residual functions and implementation partners, together with the resource requirements necessary, are identified.

56. To support the implementation of the handover plan, the United Nations country team developed a $50 million joint programme for peace consolidation in the post-UNOCI period, which took into account the existing "One UN" programmatic framework for Côte d'Ivoire and the new national development plan for the period 2016-2020. In addition, the United Nations country team developed proposals for programmatic activities, which are aligned with the Operation's mandate and supported by assessed contributions from its 2016/17 budget. These activities are in the areas of social cohesion and national reconciliation, community disarmament, cross-border stabilization, security sector reform and human rights, with a focus on sexual and gender-based violence. In parallel, options were explored for the Peacebuilding Fund to support the transition process. Since 2015, the Fund has provided $12 million in support of peace consolidation.

57. Further cross-border initiatives have been mainstreamed into a project on cross-border cooperation between Côte d'Ivoire and Liberia for sustainable peace and social cohesion, supported by the Peacebuilding Fund, UNOCI and the United Nations Mission in Liberia, to be implemented in the southern area of the border between the two countries. From 1 to 4 November, UNOCI hosted a mission of the United Nations Office for West Africa and the Sahel (UNOWAS) and UNDP conflict prevention experts to consider options for continued support for the Governments concerned and the Mano River Union joint border security and confidence-building units in the western border areas with Liberia. The mission identified a number of challenges that continue to be faced by Côte d'Ivoire and Liberia in the border areas, including the unemployment of young people, the marginalization of border communities, poor infrastructure, drugs, weapons and ammunition trafficking and the illegal occupation of land. Recommendations were made to address them, including strengthening the capacity of the Mano River Union. Following the departure of UNOCI, UNOWAS will continue to monitor developments in the country within the context of its regional mandate.

58. The Ivorian National Security Council will continue the overall coordination and monitoring of the security sector reform strategy, with the support of a consultative group comprising national institutions and international partners. It is also in the process of assuming activities with regard to weapons management, the residual caseload of former combatants and linking reinsertion to reintegration. Social cohesion and intercommunal dialogue initiatives were transferred to the Government and the United Nations country team. UNOCI continues to transfer its human rights monitoring, reporting and investigation activities to the National Human Rights Commission. Technical support for the armed forces and gendarmerie has shifted to donor partners, while that for law enforcement agencies will be delegated to the United Nations country team and donors. A joint technical

committee has been working on the transfer of the ONUCI FM radio station to the Government. A memorandum of understanding has been concluded and the broadcasting studio has been set up at the Fondation Félix Houphouët-Boigny pour la recherche de la paix, while the Government has taken charge of the 24 transmitter sites.

V. Financial aspects

59. The General Assembly, by its resolutions 71/271, appropriated the amount of $171.9 million for the maintenance of the Operation for the period from 1 July 2016 to 30 June 2017, inclusive of the amount $153.0 million previously authorized for the Operation for the period from 1 July to 31 December 2016 under the terms of the resolution of its resolution 70/272.

60. As at 4 January 2017, unpaid assessed contributions to the UNOCI Special Account amounted to $25.4 million. Total outstanding assessed contributions for all peacekeeping operations at the same date amounted to $1,801.7 million.

61. Reimbursement of troop/formed police costs has been made for the period up to 31 October 2016, while reimbursement of the costs of contingent-owned equipment has been made for the period up to 30 September 2016 in accordance with the quarterly payment schedule.

VI. Observations

62. Côte d'Ivoire saw the further extension of State authority and the deployment of public services, the strengthening of democratic institutions, progress in security sector reform and steady economic development. The peaceful, transparent and credible presidential elections of 2015, the constitutional referendum in October and the legislative election in December have demonstrated the maturity of the Ivorian democratic process and the will of the people to articulate political differences within the institutional framework. While the wounds of the past will take time to heal, I am encouraged to see that Ivorians are progressively developing a common sense of nation and shared national pride, which has the potential to break down political, ethnic and religious barriers. Efforts to pursue a meaningful national reconciliation process must continue with the full engagement of all stakeholders to prevent violence and conflict in the future, including with the assistance of the United Nations country team through the implementation of the handover plan (see para. 55 above). These efforts should be support by an increased drive by the Government to distribute national wealth more equitably for the benefit of all Ivorians.

63. In 2016, Côte d'Ivoire peacefully adopted its new Constitution through a popular referendum. In underscoring the ethnic, cultural and religious diversity of Côte d'Ivoire and putting an emphasis on the importance tolerance and dialogue, the new Constitution could serve as an instrument of reconciliation and stability. It provides the Government with an important means of addressing the root causes of the past civil war, including land tenure, nationality and identity. At the same time, continued instability triggered by issues relating to land and belonging still require

decisive action, including in achieving social cohesion. I urge the Government to address the outstanding caseload of former combatants, while ensuring that they all have reintegration opportunities to be able to constructively contribute to Ivorian society. Concrete measures need to be put in place to link short-term reinsertion to the longer-term reintegration of former combatants in order to consolidate achievements.

64. I commend all political actors, the electoral authorities and the Ivorian population for holding peaceful legislative elections on 18 December with no serious security incidents reported. The resumed participation of the opposition in them marks a promising change after years of boycott. The incoming multiparty National Assembly has the potential to promote parliamentary cooperation. I urge opposition leaders to continue to constructively engage in dialogue that the President and his Government have extended to them since 2012. I am encouraged to see that forward-looking elements of the opposition have begun a serious rethinking of their role and place in the new Ivorian reality in an attempt to break free of the anchors holding them to the past.

65. The security situation throughout Côte d'Ivoire has improved significantly. The Government is addressing security challenges, in particular in the west. Notwithstanding isolated incidents, the decreasing trend in armed attacks gives reason for optimism. The holding of the referendum and legislative election also attests to the capacity of its security sector to provide a stable security environment. However, the protests in January 2017 by Ivorian soldiers, who were followed by gendarmes and other related personnel, demonstrated the remaining fragility of the Ivorian security sector. While the Government managed to reach an agreement with the protesters without any security incident, those protests showed an institutional gap in terms of training and discipline within the armed forces, which remains one of the key challenges for the security sector. There is also a continued need to enhance the cohesion and operationalization of the security agencies, especially of the gendarmerie and police, while improving their equipment and addressing conditions of service. In addition, the legitimacy and accountability of security institutions remain crucial to improving the confidence of the population, which has yet to improve. Their transformation will require concerted efforts to implement the military programming and internal security planning laws, as well as the law on the organization of the armed forces. Finally, strong democratic control and oversight of the security sector needs to be established and an increased compliance by security providers with good governance standards ensured.

66. I remain concerned about continuing perceptions of one-sided justice and impunity for human rights violations. In this regard, I reiterate my call that all perpetrators of such violations, irrespective of their political affiliation, must be held accountable. Persistent human rights violations, including sexual and gender-based violence, are also deeply concerning. Urgent action is required to fight impunity for such crimes and to ensure the protection of civilians, in particular women and children. The development of the capacity of national institutions to promote and protect human rights must remain a priority if peace in Côte d'Ivoire is to be sustained. This would require the continued strengthening of the National Human Rights Commission and raising the awareness of and training on sexual violence and gender-based violence for law institutions and service providers. The

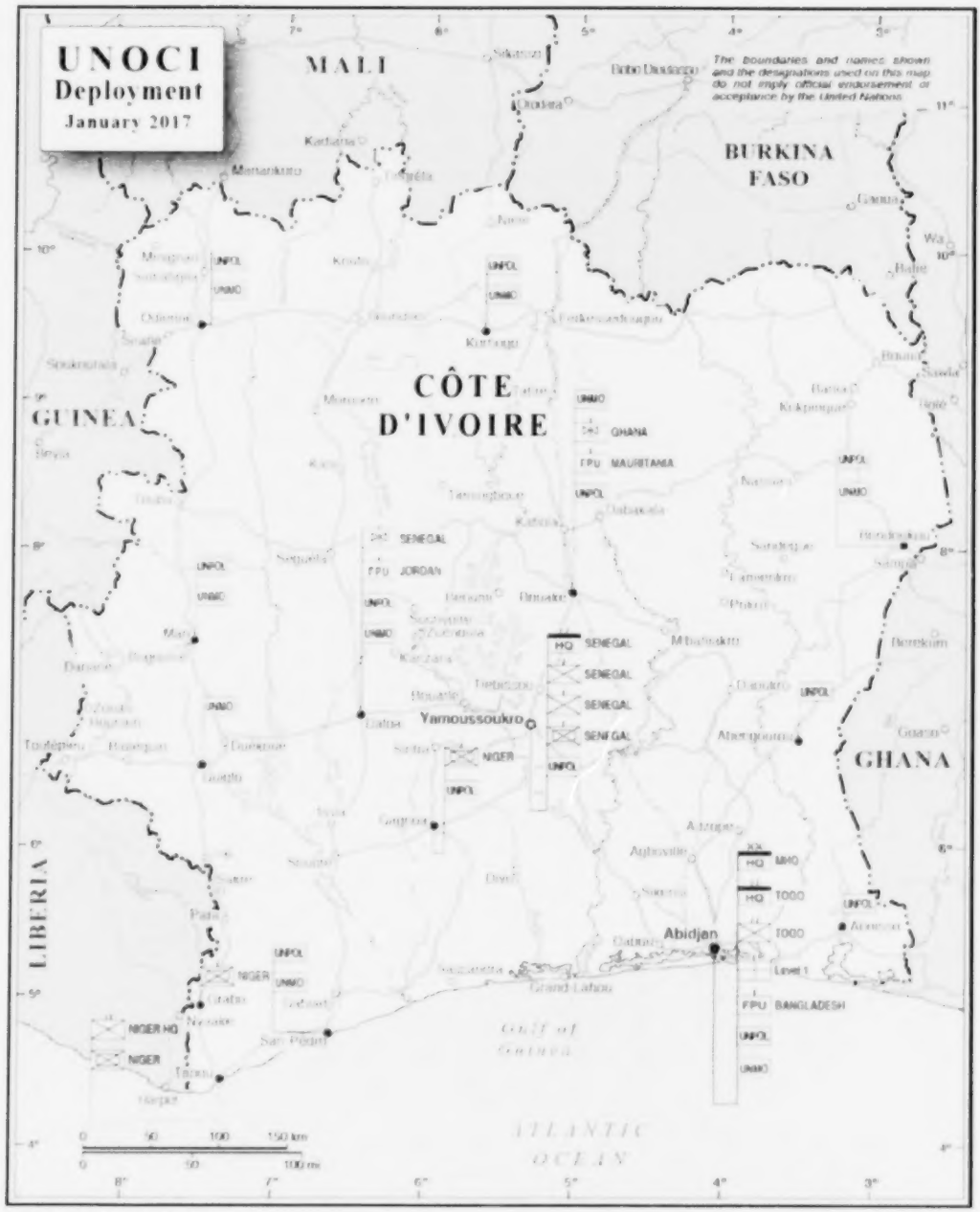
United Nations remains committed to promoting and protecting human rights in Côte d'Ivoire, in close collaboration with the Government.

67. The attack in Grand-Bassam in March 2016 confirmed that no country in West Africa is immune to the scourge of terrorism. Efforts since undertaken by the Ivorian authorities, in close cooperation with neighbouring countries, to step up measures to tackle the growing threat of terrorism and violent extremism in the subregion and cross-border insecurity are encouraging and must continue. The United Nations remains committed to helping to strengthen such regional collaboration and support the development of comprehensive strategies for addressing this threat.

68. The completion of the peacekeeping phase of the United Nations engagement is a turning point for both Côte d'Ivoire and the United Nations. As the Government vigorously pursues its ambitious political and economic development agenda, UNOCI is in the process of delegating to the United Nations country team challenges that will remain after its withdrawal. An agreement to this effect was signed between all stakeholders concerned on 17 October. I welcome this transition, which will mark the most recent successful completion of a peacekeeping operation in West Africa since the United Nations Mission in Sierra Leone in 2005. However, additional resources are required to enable the Government and/or the United Nations country team to perform critical tasks to ensure the sustainability of the gains achieved. I therefore reiterate my call upon all stakeholders, in particular bilateral partners and donors, to provide the resources needed to facilitate the transformation of the United Nations engagement in Côte d'Ivoire.

69. In conclusion, I would like to express my gratitude to all past and present civilian and military personnel of UNOCI, as well as to my Special Representative, Aichatou Mindaoudou, and all previous leaders of the Operation, who have made the successful completion of UNOCI's mandate and the Organization's peacekeeping presence possible. My appreciation also goes to the troop-contributing and police-contributing countries, donor countries, regional and multilateral organizations and non-governmental organizations that continue to provide invaluable support to Côte d'Ivoire. I wish to pay special tribute to the essential role played by the African Union and the Economic Community of West African States throughout the Ivorian peace process, which facilitated the achievements attained by UNOCI. The Government and people of Côte d'Ivoire deserve commendation for their remarkable resilience and for making excellent use of the support offered by international partners to restore peace and stability in their country.

Annex



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Letter dated 30 January 2017 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I write to you in reference to document S/2017/10, dated 3 January 2017, regarding matters of which the Security Council is seized and of the stage reached in their consideration.

I have the honour to inform you that, upon the instructions of my Government, the United Kingdom requests the retention of the following item, listed in paragraph 3 of the above-mentioned document, on the list of matters of which the Security Council is seized:

68. The situation in Myanmar

I would be grateful if you would circulate the present letter as a document of the Security Council.

(*Signed*) Matthew **Rycroft**

17-01451 (E) 020217

Please recycle

United Nations S/2017/91

Security Council

Distr.: General
8 February 2017

Original: English

Letter dated 31 January 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith a letter dated 24 January 2017 from the Commissioner for Peace and Security of the African Union Commission, Smaïl Chergui, on behalf of the Chairperson of the African Union Commission, Nkosazana Dlamini-Zuma (see annex), forwarding the communiqué on the situation in Somalia and the implementation of the mandate of the African Union Mission in Somalia of the 649th meeting of the Peace and Security Council of the African Union, held on 16 January 2017, and the report of the Chairperson of the African Union Commission, transmitted in accordance with the requests of the Security Council contained in paragraphs 18 and 44 of its resolution 2297 (2016).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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Annex

On behalf of the Chairperson of the Commission of the African Union, Nkosazana Dlamini-Zuma, I would like to forward, herewith attached, the communiqué on the situation in Somalia and the implementation of the mandate of the African Union Mission in Somalia (see enclosure I), adopted by the Peace and Security Council of the African Union at its 649th meeting, held on 16 January 2017, and the report of the Chairperson of the African Union Commission (see enclosure II).

I should appreciate it if the present letter, the communiqué and the report would be circulated to the members of the United Nations Security Council.

(*Signed*) Smaïl **Chergui**
Commissioner for Peace and Security

Enclosure I

Communiqué on the situation in Somalia and the implementation of the mandate of the African Union Mission in Somalia

The Peace and Security Council of the African Union, at its 649th meeting, held on 16 January 2017, adopted the following decision on the basis of its consideration of the report of the Chairperson of the Commission on the situation in Somalia and the implementation of the mandate of the African Union Mission in Somalia (AMISOM):

The Council,

1. **Takes note** of the report of the Chairperson of the Commission and the briefing made by the Commissioner for Peace and Security on the situation in Somalia and the implementation of the AMISOM mandate, **also takes note** of the statements made by the representatives of Somalia and Ethiopia, as Chair of the Intergovernmental Authority on Development (IGAD) and as African member of the United Nations Security Council, as well as by the representatives of Egypt, China, France, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the European Union and the United Nations;

2. **Recalls** its previous decisions on the situation in Somalia and AMISOM, including communiqué PSC/PR/COMM(DCXXII) adopted at its 622nd meeting, held on 6 September 2016, communiqué PSC/PR/COMM(DCVIII) adopted at its 608th meeting, held on 29 June 2016, and communiqué PSC/PR/COMM.2(DXCV) adopted at its 595th meeting, held on 28 April 2016;

3. **Expresses satisfaction** with the progress made by the Federal Government of Somalia in the electoral process in Somalia, in this respect, **welcomes** the establishment of a Bicameral Assembly composed of Upper and Lower Houses, as well as the re-election on 11 January 2017 of Mohamed Sheihk Osman Jawaari as the Speaker of the Ninth Parliament, in the same context, and **commends** the commitment of the Somalia National Leadership Forum, the Federal Indirect Electoral Implementation Team, the State-level Indirect Electoral Implementation Team, the independent electoral dispute resolution mechanism and other national stakeholders to this electoral process, and the election of women representatives in the House of Parliament;

4. **Stresses** the importance of ensuring that all allegations of malpractice and manipulated voting are objectively addressed and, **looks forward** to the completion of the electoral process through the election of a President as scheduled and without any further delays, and **commends** the Somalia National Security Forces and AMISOM personnel for their valour, professionalism and effectiveness in supporting this electoral process, which is ongoing without major incidents, especially around the six designated electoral locations;

5. **Welcomes** the achievements made in the state formation process in Somalia, in this regard, **notes with satisfaction** the conclusion, on 17 October 2016, of the formation of the Hirshabelle regional administration whose Assembly elected the Regional President, Vice-President, Speaker and Deputy Speaker, which marks the formal completion of the establishment of federal member states in Somalia,

reiterates its full support to the Federal Government of Somalia for these remarkable achievements, and **encourages** regional and international actors to continue to work in a coordinated and coherent manner, in order to consolidate the gains made in the country;

6. **Expresses deep concern** over the continued threats posed by Al-Shabaab to peace and security in Somalia and the region, through recurrent asymmetrical attacks, in this regard, **strongly condemns** these attacks, in particular, **takes note** of the incident, which occurred on 2 January 2017, outside the medina gate and at an entrance of a hotel in Mogadishu, **expresses its condolences** to the families of the Somalia National Security Forces personnel who lost their lives, and **wishes** quick recovery to those who sustained injuries;

7. **Notes with deep concern** some incidents of reoccupation by Al-Shabaab in some key towns in the Hirshabelle region (Moqokori, Ceel Cali, Halgan) and the Bakool region (Tiyeeglow town, Goof gadood), and **stresses** the need for AMISOM and the Somalia National Security Forces to step up their efforts in the recovery and consolidation of security in territories liberated from Al-Shabaab;

8. **Expresses satisfaction** with the implementation of the 2016 AMISOM concept of operations, **requests** the Commission and AMISOM to spare no effort in ensuring that all operations are conducted in accordance with it and within the proposed timelines and, in this respect, **decides** to request the United Nations Security Council to authorize an AMISOM troop surge of 4,500 for a non-renewable period of six months, in order to undertake AMISOM mandated tasks as set out in the 2016 concept of operations, especially in relation to the expansion of offensive operations, as well as facilitate the exit strategy of the Mission;

9. **Calls upon** the international community to continue to provide and increase its support to AMISOM and the Somalia National Security Forces commensurate with the challenges being faced in their efforts to promote and consolidate peace and security in Somalia;

10. **Recalls** that, when the African Union authorized the deployment of AMISOM in January 2007, it was on the understanding that AMISOM would only be deployed for a period of six months, aimed essentially at contributing to the initial stabilization phase in Somalia and that, thereafter, the Mission would evolve into a United Nations operation that would support the long-term stabilization and post-conflict reconstruction of Somalia, in this context, **requests** the Chairperson of the Commission to urgently undertake strategic consultations to explore various funding options for AMISOM, including through the convening of a high-level tripartite meeting of the African Union, the European Union and the United Nations to explore modalities for addressing the current funding challenges facing AMISOM, and **also requests** the Commission to engage the European Union with a view to finding a consensual solution to the payment of allowances to troops of Burundi in AMISOM, based on a non-discriminatory approach, bearing in mind the particular nature of AMISOM operations, and in accordance with the conclusions of the 21st meeting of the AMISOM Military Operations Coordination Committee, held in Addis Ababa on 11 November 2016;

11. **Pays tribute** to all AMISOM uniformed and civilian personnel, as well as to the troop- and police-contributing countries, namely Burundi, Djibouti,

Ethiopia, Kenya, Nigeria and Uganda, for their continued commitment and the sacrifices made thus far, **urges** AMISOM troop-contributing countries to maintain their presence in Somalia in accordance with the timeline of deployment as contained in the AMISOM concept of operations in order to avoid creating a security vacuum and other related negative consequences, and **reiterates** the centrality of African solidarity as enshrined in the Constitutive Act of the African Union, the main impetus for AMISOM deployment;

12. **Underlines the importance** of a sustainable and coordinated approach for building the capacity of the Somalia National Security Forces and **requests** the Commission and AMISOM to work with the Federal Government of Somalia, the United Nations and other relevant stakeholders in all efforts to build the capacity of the Somalia National Security Forces, with a view to developing a more sustainable, robust and effective immediate, medium- and long-term strategy;

13. **Commends** the AMISOM leadership and the troop- and police-contributing countries for their continued efforts to ensure full compliance with international human rights and humanitarian law in the conduct of the Mission's military operations, including the prompt establishment of boards of inquiry and other necessary mechanisms to investigate allegations of violations by AMISOM uniformed personnel and the adoption, where applicable, of appropriate sanctions against the perpetrators, in line with the relevant provisions of the memorandums of understanding signed between the African Union and the troop- and police-contributing countries, and in the same context, **reaffirms** the zero-tolerance policy of the African Union for sexual exploitation and abuse;

14. **Recalls** paragraph 11 of the communiqué adopted at its 622nd meeting, and **requests** the Commission and AMISOM to finalize the 10-year lessons learned study on AMISOM, which is expected to make concrete recommendations on the future of AMISOM presence in Somalia;

15. **Requests** the Commission to transmit this communiqué and the report of the Chairperson of the Commission on Somalia and the implementation of the AMISOM mandate to the United Nations Secretary-General for onward transmission to the United Nations Security Council for its action as appropriate;

16. **Decides** to remain actively seized of the matter.

Enclosure II

Report of the Chairperson of the African Union Commission on the situation in Somalia and the implementation of the mandate of the African Union Mission in Somalia

I. Introduction

1. The present report is submitted pursuant to paragraphs 18 and 44 of United Nations Security Council resolution 2297 (2016), adopted at its 7731st meeting, held on 7 July 2016. In that resolution, the Security Council requested the African Union to keep the Council regularly informed, through the Secretary-General, on the implementation of the Mission's mandate, and regularly report to the Council, through the provision of oral updates and written reports. In addition, the Peace and Security Council of the African Union, at its 608th meeting, held in Addis Ababa on 29 June 2016, reiterated the need for the periodic reporting on AMISOM operations, including on the implementation of the revised concept of operations. Accordingly, the present report covers major developments in Somalia during the period from 1 September to 31 December 2016.

II. Main political and related developments

2. Somalia continues to make significant political progress in particular in relation to the federalization and electoral processes. With respect to the federalization process, the Hiraan-Middle Shabelle interregional state formation conference concluded on 17 October with the formation of the Hirshabelle regional administration, whose Assembly elected the Regional President, Vice-President, Speaker and Deputy Speaker. This milestone benefitted from the support and commitment of a high-level joint committee, comprising the African Union, the Intergovernmental Authority on Development (IGAD), the United Nations, the European Union and the Federal Government of Somalia. In addition to political support, AMISOM provided protection for all stakeholders involved in the reconciliation and state formation process, in accordance with United Nations Security Council resolution 2297 (2016). The state formation process has now shifted to the formalization of the six interim administrations into federal member states and the establishment of functional local governments within the states in line with the 2020 Somali political road map.

3. I am happy to note that the conduct and outcome of the unique 2016 electoral process provides an important stepping stone towards universal suffrage in Somalia. An important outcome from this process is that Somalia now has a bicameral assembly and is working towards the selection of a new President by the end of January 2017. In support of the process, the African Union Commission deployed a short-term electoral support mission to Somalia to observe, assess the process and provide surge support and expert advice to AMISOM political leadership. Furthermore, AMISOM, in collaboration with other international partners, continues to engage with the relevant stakeholders, including the Federal Government, the Somalia National Leadership Forum, the Federal Indirect Electoral Implementation Team, the state-level indirect electoral implementation team, the independent

electoral dispute resolution mechanism, Somali women representatives and Coalition for Change, among others, in order to address various election-related issues, such as ensuring security during elections, the achievement of the quota of seats in parliament reserved for women and the settlement of electoral disputes.

4. In line with its mandated responsibilities, the Mission continues to ensure the security of the 2016 electoral process, which is ongoing without major incidents. Within its capabilities, AMISOM adopted a two-pronged approach in its support to the electoral process through the provision of a safe and peaceful environment, as well as advocacy and the sensitization and mobilization of Somalis towards inclusive participation in the electoral process. Overall, AMISOM support to the entire conduct of the electoral process has been remarkably successful.

III. Security situation

5. The general security situation remains relatively calm, despite the recurrent asymmetric attacks of Al-Shabaab. Generally, Al-Shabaab has maintained some presence in the Lower and Middle Juba, including the Juba Valley, Gedo, Bay, Bakool, Lower and Middle Shabelle and Hiraan regions, and along the north-eastern coastline, where it poses a potential threat to the Federal Government of Somalia, regional administrations, the Somalia National Security Forces, AMISOM and partners. Nonetheless, AMISOM forces, together with the Somalia National Security Forces, continue to recover, pacify and consolidate large territories in areas previously controlled by Al-Shabaab.

6. In addition, the asymmetric nature of the modus operandi of Al-Shabaab continues to adversely affect the economy and the provision of social services and infrastructure. While Al-Shabaab and other opposition armed groups continue to pose a challenge to security in Somalia, AMISOM forces have maintained a presence in the six sectors and have been conducting military operations against Al-Shabaab within their area of responsibility.

7. There have also been some incidents of the re-emergence of Al-Shabaab in some key towns, following the withdrawal of non-AMISOM forces. In this respect, Al-Shabaab retook a number of towns in the Hirshabelle region, namely Moqokori, Ceel Cali and Halgan. Al-Shabaab also recaptured Tiyeeglow town in the Bakool region and overran the defensive position of the Somali National Army at Goof Gadood in the Bay region on 29 October. These incidents suggest that the lack of sustained holding operations will continue to undermine security gains in the country.

8. Rising tensions in Galkacyo remain a source of concern. On 7 October 2016, forces loyal to the Puntland and Galmudug regional administrations engaged in a violent confrontation, leading to the loss of lives and population displacements. An agreement between the parties was signed in Abu Dhabi on 1 November, where the two Presidents reaffirmed their commitment to the ceasefire and pledged to work towards the separation of forces and reconciliation. With the support of AMISOM, the European Union, IGAD and the United Nations, a joint ceasefire committee was established between the warring parties to oversee the implementation of the ceasefire and cessation of hostilities in Galkacyo.

9. There were few violent incidents related to the electoral process. The ongoing electoral process has been conducted in an environment that has been relatively safe and conducive to the conduct of the process, and it has progressed well in all host regional capitals. Consistent with the election security provided in all these host regional capitals, AMISOM developed effective security plans to secure the elections of the Speaker of the Federal Parliament and the President of Somalia, scheduled for January 2017. The elections will present a critical phase that is likely to attract more Al-Shabaab activities.

10. Amid this progress, political, security and stabilization efforts for Somalia have been undermined by limited national and grass-roots reconciliation processes, intermittent inter- and intraclan regional administration clashes and tension arising from the electoral process. Equally, Al-Shabaab continues to employ insurgency, asymmetric tactics, radicalization, religious extremism and child recruitment as its modus operandi. It continues to exploit existing gaps across sectors by conducting ambushes, grenade attacks and indirect mortar attacks and the use of improvised explosive devices and vehicle borne improvised explosive devices combined with complex attacks targeting civilians, government officials, AMISOM and members of the international community.

IV. Deployment of the African Union Mission in Somalia

11. Besides the deployment activities as contained in my previous report, AMISOM is pleased to report that the Force Commander, who is a national of Djibouti, has since been deployed to the mission area to further enhance command and control structures and, ultimately, the successful implementation of the Mission's mandate.

12. As set out in the 2016 AMISOM concept of operations, AMISOM continues to maintain the deployment of authorized uniformed personnel and their presence in all sectors. This is aimed at establishing the conditions necessary for effective and legitimate governance across Somalia, in support of and in coordination with the existing Somali security forces.

13. Under United Nations Security Council resolution 2297 (2016), a joint AMISOM-United Nations-Somalia planning mechanism is envisaged to assess and facilitate the delivery of the Mission's mandate. In this regard, during the monthly senior leadership coordination forum held on 24 November 2016, discussions were initiated to provide modalities for the transition over the next two to four years. In this respect, and as part of the preparation to handover all the relevant security responsibilities to the Somalia National Security Forces, AMISOM, the United Nations Assistance Mission in Somalia and the United Nations Support Office in Somalia (UNSOS) agreed to set up a joint team to discuss and establish a workable condition-based exit strategy and a transition plan, based on a common understanding by all concerned.

14. Since my previous report, notable efforts have been made to improve the efficiency of AMISOM through the deployment of force multipliers (combat helicopters) and mission enabling units. With the finalization of the signing of the letter of assistance with the Government of Kenya in November 2016, and the subsequent expected deployment of Kenya Defence Forces combat helicopters from 15 December, together with the requisite training programmes, will lead to

enhanced improvement of AMISOM military efficiency and response capacity. Through the mission enabling units, AMISOM is conducting Operation Antelope within sector 5, which is designed to open up an initial 87 kilometres of the 200 kilometres of main supply routes in the Mission's area of responsibility. The successful completion of the operation will enhance security on the main supply routes, which will allow for the provision of humanitarian assistance and the delivery of logistical support to AMISOM.

V. Support from the African Union Mission in Somalia to the Somalia National Security Forces

15. AMISOM continues to support the capacity-building and enhancement of the effectiveness of the Somalia National Security Forces, especially the national army and the Somali Police Force, as lead organs for taking over from AMISOM upon its exit. The reorganization of the national army, as part of the implementation of the Guulwade plan, which provides for the creation of well-organized and equipped national army units, is in process, although it lacks the required resources. The process of reforming and restructuring the national police force remains fundamental for the long-term stabilization process of Somalia. Significant efforts have been made to ensure the conduct of joint operations with the national security forces, as part of the implementation of the national security plan and to contribute to the wider effort in training and mentoring the security forces. In fact, AMISOM, together with the national police force, carried out several joint operations, including day and night patrols in Mogadishu and a number of joint cordon and search operations, leading to the arrest of Al-Shabaab suspects and the capture of materials for making explosives. The role of AMISOM, including the police component, has also been manifested in the conduct of electoral assessments, support to elections security and the training of the national police force, both in Mogadishu and other electoral locations.

16. To improve coordination, communication and intelligence-sharing during the election period, AMISOM supported the national police, the national army and other security forces in developing joint election security plans, establishing joint security committees and joint operations centres. The joint security plans led to the successful completion of both Upper and Lower House elections in the states of Jubaland and South-West. In the same vein, AMISOM continues to provide election security to other states, which have yet to complete their electoral processes.

VI. Protection of civilians and compliance with the United Nations human rights due diligence policy

17. In line with its mandate, AMISOM has established structures to ensure that its forces discharge their mandate in accordance with their obligations under international humanitarian law and international human rights law. During the period under review, the new Force Commander issued a directive to his operational commanders reminding them of their obligations under the various conventions under human rights and international humanitarian law. The Mission's Protection, Human Rights and Gender Unit has taken advantage of the monthly briefing of the

Force Commander with his commanders to make presentations to the sector and operational commanders on various issues relating to human rights and international humanitarian law.

18. The AMISOM-United Nations joint working group to discuss the implementation of the human rights due diligence policy has strengthened its periodic engagements. Similarly, the Civilian Casualty Tracking Analysis and Response Cell has been operationalized, with regular reporting communicated to the AMISOM and African Union Commission leadership. Where credible allegations of abuse have been raised, the Mission has always promptly set up a board of inquiry to investigate such allegations and shared the relevant findings with partners, as appropriate. In a bid to strengthen the operational credibility of the Analysis and Response Cell, AMISOM, with the support of UNSOS in October 2016, developed standard operating procedures for the modalities of making ex gratia payments to innocent civilian victims of its operations.

19. AMISOM conceived and supported the establishment of a Crisis Line, which was launched in December 2016 and operates within Somalia to report cases of sexual and gender-based violence and sexual exploitation and abuse. The management of the Crisis Line was subcontracted to an independent Somali non-governmental organization and operates a toll-free telephone number (5555) using the practice of active listening, recording of information on violations and referrals of victims to services and/or the appropriate authorities for necessary action. This AMISOM-funded initiative is part of the established monitoring and response mechanism aimed at breaking the silence regarding sexual and gender-based violence and sexual exploitation and abuse and any other forms of abuse perpetrated against women and children.

VII. Implementation of the revised concept of operations and outcomes of operations of the African Union Mission in Somalia

20. Noticeable progress has been registered with regard to AMISOM efforts to degrade the capabilities of Al-Shabaab. AMISOM forces have continued to make considerable territorial gains in order to separate Al-Shabaab from the populations who constitute its centre of gravity and deny them resources in the form of revenue, recruitment and logistics support. Concretely, AMISOM forces, jointly with the Somalia National Security Forces, conducted several intelligence-led operations, during which a total of 420 Al-Shabaab militants were killed and 117 others were captured. In addition, 177 AK-47s, 15 PKM machine guns, 10 rocket-propelled grenades, three pistols, 12 hand grenades and 5,682 rounds of 7.62 mm ammunitions were captured. Along the main supply routes, a total of 100 improvised explosive devices have been discovered and successfully destroyed across the sectors.

21. Significant efforts have been made to ensure free movement, safe passage and protection of those involved in the peace and reconciliation processes, as well as the electoral process. While AMISOM continuously works to ensure the conduct of a safe and relatively incident-free election in Somalia, the deployment of AMISOM forces to Cadaado in late October 2016 created an enabling environment for international observers to monitor the election, a key step towards safeguarding the credibility of the election and the legitimacy of its outcome. AMISOM also secured

the Hirshabelle state formation process and the inauguration of its President as part of the ongoing efforts to provide protection to the Somali authorities.

22. Furthermore, considerable progress has been registered in the conduct of a comprehensive review of the current status of friendly forces throughout the AMISOM area of responsibility, including their capabilities to undertake effective operations. In this respect, the assessment and verification of the national army was completed in sectors 2, 3, 4 and 6. The leadership of the national army has since pledged to urgently undertake the same process in sectors 1 and 5.

23. In line with the revised concept of operations and tasks outlined in United Nations Security Council resolution 2297 (2016), AMISOM convened the second joint conference of United Nations Assistance Mission in Somalia sector commanders and Somalia National Army regional commanders, during the period under review. Despite making remarkable progress, AMISOM still faces serious challenges, including limited capability to counter improvised explosive devices; inadequate strength of the national army in some areas and lack of lethal support for the national army, which hinder its capacity to assume security responsibilities for liberated areas; lack of intelligence, surveillance, and reconnaissance assets to provide real-time information to counter Al-Shabaab activities; and the persistent defection of some members of the national army to Al-Shabaab, taking with them operational vehicles and weapons.

24. There were, however, limitations with regard to carrying out major offensive operations to flush out Al-Shabaab militants from their main bases and strongholds, especially in the Juba River Valley and along the north-eastern coastline of Somalia. The limitation was mainly due to three factors: lack of adequate force strength that is required to simultaneously hold the areas already captured and the force to launch the offensive; lack of the requisite force multipliers and enablers (to date only three helicopters have been acquired from the Government of Kenya); and lack of requisite logistics support for the forces earmarked for the operations.

VIII. Stabilization and humanitarian situation

25. Stabilization activities along the political, non-military and socioeconomic lines of action continue to progress through the restoration of governance structures, security, the rule of law and community peace dividends projects in the newly recovered districts and beyond. The training and validation activities of district peace and stability committees are taking place in the districts of Hudur, Barawa, Warshiekh and Bulo Burto. The committees continue to play vital roles in reconciliation efforts at the grass-roots level through the promotion of peaceful coexistence and the prevention of violence and conflict among the communities, while at the same time building consensual approaches to addressing pressing issues through community consultations. Likewise, AMISOM continues to support the ongoing efforts to implement the Wadajir National Framework, a nationwide local governance framework that provides for the formation of district councils in all of the federal member states, critical for strengthening local governance systems and improving service delivery.

26. While noticeable progress has been registered in the stabilization activities highlighted above, the humanitarian situation in Somalia has remained extremely

challenging. Somalia is experiencing growing humanitarian needs emanating from drought conditions and population displacement and with regard to returnees. Unfortunately, these needs are competing for diminishing resources from the international community. Overall, and despite the lack of adequate resources and the low levels of humanitarian and early recovery action throughout southern central Somalia, AMISOM, in collaboration with the Federal Government of Somalia and the humanitarian community, continue to facilitate the conduct of humanitarian needs assessments in its areas of operation and the delivery of humanitarian assistance in areas that have been secured from Al-Shabaab.

IX. Support from the United Nations Support Office in Somalia to the operations of the African Union Mission in Somalia

27. UNSOS continues to provide logistical support to AMISOM in accordance with United Nations Security Council resolution 2297 (2016), which mandates UNSOS to provide a logistics support package to 22,126 AMISOM uniformed personnel and 70 AMISOM civilian personnel. The support, based on 17 line items, which has consistently enabled AMISOM to expand its operations across the entire mission area, has largely been satisfactory, except for a few areas requiring further streamlining.

28. Whereas significant progress has been made in the provision of rations to the authorized personnel strength, their delivery continued to rely on expensive and unsustainable air transportation in areas where the main supply routes remain impassable due to a variety of factors, ranging from the threat posed by improvised explosive devices, the poor road network and frequent Al-Shabaab ambushes of AMISOM convoys. This points to an urgent need for AMISOM to be equipped with the capability to counter improvised explosive devices and intelligence, surveillance, and reconnaissance capabilities.

29. With regard to transport, the delay in establishing maintenance facilities in all sectors, coupled with difficulties in the timely acquisition of spare parts, has been a major hindrance to the Mission's overall maintenance and repair capacity. This has particularly affected certain operational vehicles, whose serviceability remains considerably below the minimum acceptable operational threshold of 75 per cent. The UNSOS procurement system may need to adopt a more flexible policy in order to adapt to the demands of a peace enforcement mission such as AMISOM.

30. The UNSOS engineering service has registered noticeable success in terms of accommodation and infrastructure development. However, the construction of pending sector hubs, as well as streamlining the prioritization of accommodation works between AMISOM and UNSOS, remains a challenge. Likewise, the provision of bulk and potable water remains a challenge and requires immediate intervention. The provision of fuel and lubricants has steadily progressed within the prescribed timelines and quantities. Nonetheless, UNSOS should engage AMISOM on issues relating to the airlift of fuel in compliance with the memorandum of understanding and the 2016 concept of operations guidelines.

X. Observations

31. AMISOM remains a central actor in the pursuit of peace, security and stability in Somalia. I would like the Council to consider the following aspects as crucial to the important security gains made thus far in Somalia.

32. First, sustained resources (equipment, logistics and funding) have not matched the sacrifices made by AMISOM troops. Despite the difficult but compelling accomplishments made by AMISOM, the Mission remains arguably the most under-resourced one, in comparison with similar asymmetrical operations within or beyond Africa. The dedicated support funding from the European Union towards AMISOM troop allowances was unfortunately reduced by 20 per cent, which has created unintended negative consequences, including the prospect of the possible withdrawal by troop-contributing countries of their troops from Somalia. This was clearly stated by the Heads of State of troop-contributing countries at the meeting held in Djibouti on 28 February and clearly demonstrated in a letter dated 8 December 2016 from the Government of Burundi addressed to the African Union Commission. This possibility will indeed be a tragedy, not only for Somalia, but for regional and international peace and security. Accordingly, the African Union Commission, through the Commissioner for Peace and Security, has taken steps to remedy the situation. These measures include consultations with the European Union and a resource mobilization drive in the Middle East, including Iran, the United Nations, Europe and Russia. In addition, the African Union Commission continues to underscore that the most sustainable funding for AMISOM can best be attained through the utilization of United Nations assessed contributions. The Council may wish to reiterate this position for the consideration of the United Nations Security Council. In the meantime, it is important that the European Union desist from discriminating in the payment procedures relating to all AMISOM troop-contributing countries, as set out in the outcome document of the 21st meeting of the Military Operations Coordination Committee, held on 11 November 2016. For AMISOM to undertake substantial security operations and flush out Al-Shabaab from its strongholds, including the Juba River Valley and along the north-eastern coastline, it requires a troop surge of 4,500 troops, fully supported, for a non-renewable period of six months. The success of this operation will enable the opening up of the main supply routes into those lush agricultural areas that are the food baskets of Somalia. It will also allow the delivery of humanitarian assistance and extension of governance to those areas.

33. Second, the political developments, especially in the electoral process as conducted, are encouraging, but the authorities of the Federal Government of Somalia should be encouraged to finalize this process no later than January 2017, based on the revised timelines. In this respect, the people and Government of Somalia should be congratulated for the establishment of the Tenth Parliament. At the same time, any alleged irregularities in the conduct of the electoral process should be promptly investigated and appropriate remedial actions must be taken in order to maintain the integrity of the electoral process.

34. Third, the African Union Commission and AMISOM remain committed towards a comprehensive approach to peace and security in Somalia. This approach should be based on a set of security indicators ranging from restoring state authority to the need

for countering violent extremism. However, the successful implementation of a comprehensive approach to security must be inclusive of AMISOM in all its aspects. This is why it is necessary for the Council to pronounce itself on the necessity for a collaborative process led by the Federal Government of Somalia and closely supported by AMISOM and other relevant partners in the effective implementation of a comprehensive approach to peace and security in Somalia.

35. Indeed, I would like to pay tribute to all AMISOM troop- and police-contributing countries and the Mission's personnel for the sacrifices that they continue to make in service of the continent. The African Union Commission will continue to firmly stand in full support and solidarity with them as we seek to ensure the elimination of acts and threats of terrorism against the people of Somalia.

36. In conclusion, I wish to commend the Prime Minister of Ethiopia, Hailemariam Desalegn, in his capacity as Chair of IGAD, and the member States of IGAD, for their illustrious contributions towards peace in Somalia and the region.